

16th March 1939

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

Volume III, 1939

(14th March to 28th March, 1939)

**NINTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1939**



**PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI.
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, SIMLA.
1939.
17-18**

Price Rs. 7 annas 6 or 11s. 6d.

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LEGISLATIVE ASSEMBLY.

Thursday, 16th March, 1939.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Walter Henry John Christie, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

LEVY OF ECONOMIC RENTS FROM EUROPEAN REFRESHMENT ROOMS ON RAILWAYS.

1081. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable the Railway Member state:

- (a) whether Government have considered the present system of charging rents for European and Indian refreshment rooms;
- (b) whether in many administrations economic rents are charged for Indian refreshment rooms, and in most administrations European refreshment rooms are charged only nominal rents; and
- (c) whether Government have considered the advisability of laying down a uniform policy in this matter?

The Honourable Sir Thomas Stewart: (a) and (c). I would refer the Honourable Member to the reply given to part (d) of his starred question No. 901 of the 9th March, 1939.

(b) I would refer the Honourable Member to the statement laid on the table of this House in connection with Mr. S. Satyamurti's starred question No. 1088 of the 16th September, 1938.

Mr. T. S. Avinashilingam Chettiar: If I remember aright, the last answer was that they were still considering the question. Is that so still?

The Honourable Sir Thomas Stewart: The position is this: at the present moment there is going on a conference between the General Managers of Railways and the Railway Board, and this very question is on the agenda of that conference. It is having our immediate attention.

Mr. T. S. Avinashilingam Chettiar: May I know whether Government are aware that in many companies, such as the Assam Bengal Railway and the Bengal and North Western Railway, a rent of one anna per room per mensem is being charged for European refreshment rooms?

The Honourable Sir Thomas Stewart: If that information is contained in the official statement, I must accept it.

Mr. K. Santhanam: May I know if Government will consult the Central Advisory Council for Railways in regard to this matter?

The Honourable Sir Thomas Stewart: Yes; the results of this discussion will be placed before the Central Advisory Council.

Mr. T. S. Avinashilingam Chettiar: May I know whether Government will accept the decision of the Central Advisory Council?

The Honourable Sir Thomas Stewart: Without knowing what the decision is, I cannot answer the question.

ATTEMPTS TO DERAIL CERTAIN TRAINS ON THE EAST INDIAN RAILWAY.

1082. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

- (a) whether an attempt was made to derail a train by placing heavy stones on the permanent way on the Bhagalpore-Dhowne-Mandar Hill branch of the East Indian Railway in the first week of February, 1939.
- (b) the total number of attempts on the East Indian Railway to derail trains within a month from 12th January, the date of derailment of the Dehra Dun Express near Hazaribagh Road; and
- (c) whether attempts at sabotage on the East Indian Railway are far more frequent than on other Railways?

The Honourable Sir Thomas Stewart: (a) I would refer the Honourable Member to the reply given to Mr. S. Satyamurti's starred question No. 777 of the 28th February, 1939.

(b) Five.

(c) Yes.

Mr. Brojendra Narayan Chaudhury: Can the Honourable Member give us the probable reasons why attempts at sabotage are more frequent on the East Indian Railway than on other railways?

The Honourable Sir Thomas Stewart: I should be reluctant to anticipate the findings of the tribunal, which is shortly to be appointed.

Mr. T. S. Avinashilingam Chettiar: May I know whether Government have any reasons to conclude that any particular persons or any gang of persons are active on this work?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to the answer I have just given to the former supplementary.

Mr. Brojendra Narayan Chaudhury: May I know whether in the terms of reference to the proposed tribunal the question why this particular railway is most subject to this sabotage will be referred?

The Honourable Sir Thomas Stewart: If the Honourable Member will have a little patience, he will see what the terms of reference are.

Mr. Abdul Qaiyum: May I know when this announcement about the tribunal is likely to be made?

The Honourable Sir Thomas Stewart: Very shortly.

ARRESTS OF CERTAIN INDIANS IN BELGIAN CONGO.

1083. *Mr. Brojendra Narayan Chaudhury: Will the Secretary for External Affairs please state:

- (a) whether his attention has particularly been drawn to the statement issued by Reverend C. F. Andrews to the United Press from Santiniketan, dated the 5th February, 1939, regarding arrests of certain Indians in Belgian Congo; and
- (b) whether he has inquired or he intends to inquire if the following allegations contained in his statement are true; if so, the steps he has taken to remedy the grievances of the Indians concerned:
 - (i) prominent Indian traders who are respectable and responsible merchants have been arrested on mere suspicions, their shops sealed and no search being made in their presence and no bail given;
 - (ii) the arrests were made on the mere information of agent provocateurs and police spies who deliberately sprinkle gold dust in odd corners of the shop which they enter to purchase articles;
 - (iii) the person who furnished information against the Indian merchants who have been arrested during the last three months is himself a person convicted for the same offence of purchasing illicit gold;
 - (iv) Mr. G. C. Ishmael, a barrister, who was allowed to practise in Belgian Congo before, has been refused permission to defend these Indians; and
 - (v) these prosecutions for offences alleged to have been committed as far back as 1932-34 are a political move to oust the Indians from Congo?

Sir Aubrey Metcalfe: (a) Yes.

(b) Government have made enquiries from His Majesty's Government with regard to these alleged grievances.

Mr. Brojendra Narayan Chaudhury: What are the results?

Sir Aubrey Metcalfe: None up to date.

Mr. Abdul Qaiyum: May I know the reason why, in cases of discrimination against British subjects, it is the Indians who always suffer in these colonies and even in foreign countries?

Sir Aubrey Metcalfe: There is no proof as yet that the Indians have suffered.

Mr. Brojendra Narayan Chaudhury: May I know whether the Honourable Member means that he has not yet received a reply from His Majesty's Government?

Sir Aubrey Metcalfe: That is the position.

Mr. Abdul Qayum: Will the Honourable Member give us the number of Indians at present under arrest?

Sir Aubrey Metcalfe: No: I cannot obviously give those at present.

SABOTAGES ON THE EAST INDIAN RAILWAY.

1084. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

(a) whether his attention has been drawn to the following appearing at pages 19 and 32 of the *Illustrated Weekly of India*, dated the 12th February, 1939:

(i) "Who the saboteurs are is a subject of much speculation and theory on all the Railways. Are they political malcontents? Are they dismissed or disgruntled employees trying to bring discredit on the Railway?"

(ii) Railway officials are not easily inveigled into giving their opinions on this question, but from several reliable sources this is what I (*H. J. Collett, the writer*) learned. The total mileage of the East Indian Railway is 4,217. Yet all the accidents have taken place in Bihar. One of the most significant factors is that this is the *only section with intensive road competition*.

The Eastern Bengal Railway and the Bengal Nagpur Railway have no such competition to speak of.

(iii) The road transport vehicles there *hunger* for passenger traffic. Action has already been taken (around Asansol, Madhupur, Monghyr, Patna, Gaya) to *protect* and develop rail traffic by such measures as reduction of rates for parcels and goods, speeding up, the establishment of *agencies* through rail *cum* road services, etc.

(iv) No case of a goods train smashing up has come to light yet. This lends colour to the theory that passenger trains, whose timings are known, are the objects of deliberate train wrecking."

(b) who Mr. H. J. Collett is; whether he has connection with the Railway as an officer, contractor or labour organiser; and

(c) whether Government have made inquiry as to who the "reliable sources" mentioned in part (a) (ii) are?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) One Mr. H. A. Collett retired from the East Indian Railway in 1935. Government have no information as to the identity of Mr. H. J. Collett.

(c) No.

Mr. Brojendra Narayan Chaudhury: In view of the fact that in this article a serious allegation is made that high railway officials are suspicious that the sabotage on that section of the East Indian Railway might be due to the activities of competitive bus owners, do not Government think it necessary to make any inquiry as to who the reliable sources are, the railway officials who held these views?

The Honourable Sir Thomas Stewart: No. I have got no authoritative opinion that high railway authorities hold any such views at all.

Mr. Abdul Qaiyum: May I know if, in preparing the case for the proposed tribunal, Government have paid attention to this aspect of the case, namely, the possibility of sabotage having been resorted to by competing services?

The Honourable Sir Thomas Stewart: Most certainly.

Mr. Brojendra Narayan Chaudhury: Has the attention of the Honourable Member been drawn to part (a) (ii) of the question where the article says that the writer had it from certain reliable sources that it is not unlikely that these sabotages might be the work of such competitors?

The Honourable Sir Thomas Stewart: I do not regard a journalist's article as an authoritative statement.

SCHOOLS AT OAKGROVE AND OTHER PLACES MAINTAINED BY THE EAST INDIAN RAILWAY.

†1085. ***Pandit Lakshmi Kanta Maitra:** (a) Will the Honourable Member for Railways be pleased to state whether the East Indian Railway maintains schools at Oakgrove, Mussoori and other places for the education of children of the employees, European and Anglo-Indian and Indian?

(b) If so, will the Honourable Member be pleased to state:

- (i) the number of students on the rolls of the Oakgrove school; and
- (ii) the number on the rolls of each of the Indian high schools maintained by the East Indian Railway on the 31st March, 1938?

(c) Will the Honourable Member be pleased to state the total direct expenditure from Railway revenue on the Oakgrove school at Mussoori and on each of the Indian high schools maintained by the Railway, during the year 1937-38?

(d) Is it a fact that in October, 1935, the Railway Board assumed direct control of all the schools maintained by the East Indian Railway?

(e) Is it a fact that earlier in the same year the Railway Board held itself responsible for the residue of all expenditure on the Railway schools not covered by school fees and Provincial Government grants, if any?

(f) Is it a fact that the Railway Board has since refused to sanction any expenditure on capital account for the normal development of the Indian schools, though it undertook to maintain them and to find the residue of all expenditure? If so, what is the reason for this change of policy towards the Indian schools?

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

The Honourable Sir Thomas Stewart: (a) Yes.

(b) and (c). I am laying on the table a statement giving the figures required for 1936-37, the latest year for which information is readily available.

(d) and (e). Yes, but the control of the schools is exercised by the East Indian Railway Administration.

(f) The reply to the first part is in the negative; the second part does not, therefore, arise.

Statement.

	No. of students	Net cost debitable to railway revenues.
		Rs.
Oakgrove School	443	2,32,820
Asansol H. E. School	504	13,722
Indian H. E. School, Jamalpur	370	6,469
H. E. School, Sahibganj	329	11,951
H. E. School, Khagaul	403	12,323
E. I. R. High School, Tundla	298	15,560

REFUSAL TO SANCTION CONTRIBUTIONS TO CERTAIN RAILWAY SCHOOLS TO BUILD CLASS ROOMS, ETC.

†1086. ***Pandit Lakshmi Kanta Maltra:** (a) Will the Honourable Member for Railways be pleased to state if it is a fact that the Committee of the Sahibganj Railway school asked for the provision of a gymnasium and additional class rooms and that the request has been refused?

(b) Is it a fact that on account of the introduction of Science as a compulsory subject in the Matriculation and in consequence of the increase in the numerical strength, the Committee of the Asansol Indian school have been asking for a room for the science laboratory and for an additional class room for more than one year?

(c) Is it a fact that according to the University requirements, a separate room is essentially necessary for the teaching of Science?

(d) Is it a fact that the Education Department considers these additional rooms necessary for the purposes of the Bengal Education Code and the revised curriculum of the University?

(e) Is it a fact that in consideration of the urgent necessity for additional rooms the Bengal Government have sanctioned a capital grant amounting to half the estimated cost, as a special case, though the usual contribution is one-third?

(f) Is it a fact that, in spite of the recommendations of the Education Department and the Provincial Government contribution of half the cost, the Railway Administration has refused to sanction the other half? If so, why?

The Honourable Sir Thomas Stewart: With your permission, Sir, I propose to reply to questions Nos. 1086 and 1087 together.

No request for additions to the Railway School at Sahibganj has been received by Government. As regards Asansol, the provision of an additional class room and of a room for the science laboratory has recently been sanctioned.

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

FAILURE TO PROVIDE A ROOM FOR A LABORATORY IN THE ASANSOL INDIAN RAILWAY SCHOOL.

†1087. ***Pandit Lakshmi Kanta Maltra:** (a) Is the Honourable Member for Railways aware that for failure to provide a room for a laboratory, the Asansol Indian Railway school is likely to lose University recognition and with it the privilege of presenting candidates for the Matriculation examination?

(b) Is the Honourable Member aware that on account of want of an additional class room, many children of Railway employees have been refused admission into the school and that employees have accordingly been put to great inconvenience?

SURPLUS FUNDS OF CERTAIN SCHOOLS ON THE EAST INDIAN RAILWAY.

†1088. ***Pandit Lakshmi Kanta Maltra:** (a) Will the Honourable Member for Railways be pleased to state if it is a fact that when the Railway Board took over the administration and control of the Railway schools on the East Indian Railway in September, 1935, from the hands of the Committees, surplus funds at the credit of these schools amounting to several thousands in each case were credited to the Railway?

(b) Will the Honourable Member be pleased to state separately the amounts thus credited to the Railway by the Oakgrove school and the Railway Indian High Schools?

(c) Is it a fact that these sums were almost wholly derived from school fees paid by the pupils and the Provincial Government grants? If so, why were these sums ordered to be credited to the Railway?

(d) How does the Administration now propose to utilise these sums? Is it proposed to spend the amounts for the benefit of the particular schools?

(e) Is it a fact that, in view of the refusal of the Administration to sanction expenditure on capital account from the Railway revenue, the Committee of the Asansol school asked in the last resort for half the expenditure on account of the proposed additional rooms being met out of the balance at the credit of the school made over to the Railway and in the custody of the Railway? If so, what orders have been passed? If no orders have been passed, will the Honourable Member be pleased to state the reason?

The Honourable Sir Thomas Stewart: (a) Yes, except that the control of the railway schools was taken over by the East Indian Railway Administration.

(b) I lay on the table a statement giving the information asked for.

(c) The reply to the first part is in the negative; the second part does not, therefore, arise.

(d) The surplus funds were credited to railway earnings from which expenditure on these schools, in excess of school fees or grants, is now met, as will be seen from the statement I have laid on the table in connection with the reply I have just given to the Honourable Member's question No. 1085.

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

†For answer to this question, see answer to question No. 1086.

(e) The Government of India have sanctioned the provision of an additional room for class X and a separate room for a laboratory in the school at Asansol.

Statement.

	Rs.	A.	P.
(i) H. E. School, Sahibganj	2,130	14	7
(ii) Asansol H. E. School	11,555	4	0
(iii) H. E. School, Khagaul	10,152	4	9
(iv) E. I. R. High School, Tundla	5,827	0	5
(v) Indian H. E. School, Jamalpur	5,551	14	1
(vi) Oakgrove School, Mussoorie	No such fund was available as the budget of the school was incorporated in the Railway Budget from 1918-19.		

PROVISION OF ADDITIONAL ROOMS IN THE ASANSOL INDIAN RAILWAY SCHOOL.

†1089. ***Pandit Lakshmi Kanta Maltra:** (a) Will the Honourable Member for Railways be pleased to state if it is the intention of Government to provide half the cost of two additional rooms proposed to be constructed for the Asansol school, which have been certified by the Education Department to be necessary? If not, why not?

(b) Is the Honourable Member aware that, unless the Provincial Government grant for these rooms is drawn before the end of March, the grant will lapse?

(c) Is it the intention of Government, or the Railway Board, to allow the said grant to lapse?

The Honourable Sir Thomas Stewart: (a) I would refer the Honourable Member to the reply I have just given to part (e) of his question No. 1088.

(b) Yes.

(c) No.

TRAIN DISASTER NEAR HAZARIBAGH ON THE EAST INDIAN RAILWAY.

1090. ***Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

(a) if the engine of the train that met with disaster recently near Hazaribagh on the East Indian Railway was fitted with a searchlight;

(b) the length of the track a driver can see ahead of his engine with the help of a searchlight; and

(c) if any obstruction, removal of the rail, etc., can be discovered by the driver with the help of the searchlight; and if so, from what distance?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) This depends entirely on the visibility conditions.

(c) This would depend on the size and location of the obstruction. When travelling at speed, a driver would not be able to detect a loose rail out of track alignment. If he did see it at all, it could only be at the very last moment.

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

Mr. Sri Prakasa: With reference to the answer to part (b), may I know what is the average length of track that a driver would be able to see as a general rule?

The Honourable Sir Thomas Stewart: Experiments in that connection have been carried out and it has been found that in conditions of good visibility, that is, when it is a dark night and when the air is clear, a bullock cart can be detected at a distance of a thousand feet; but the Honourable Member will understand that if there were, for instance, a sand storm, visibility might be none at all.

Mr. Sri Prakasa: May I understand that the searchlights are practically useless so far as the track itself is concerned?

The Honourable Sir Thomas Stewart: No. That cannot be deduced from my reply.

LOADING AND UNLOADING OF GOODS ON RAILWAYS.

1091. ***Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

- (a) if it is a fact that the loading and unloading of goods for the railways is done by the porters without any payment by the Railway Administrations concerned; and
- (b) if it is a part of the contract between the Railways and those who supply porters that this work shall be done without extra payment?

The Honourable Sir Thomas Stewart: (a) and (b). I would refer the Honourable Member to the information laid on the table in the Council of State on the 15th November, 1937, in connection with the Honourable Pandit Hirday Nath Kunzru's question No. 270 of the 5th October, 1937, from which he will see that conditions vary considerably on different railways.

Mr. T. S. Avinashilingam Chettiar: May I know whether there are any companies in which things are done as mentioned in clause (a) of this question.

The Honourable Sir Thomas Stewart: The statement to which I have referred is a very comprehensive one, and I would refer the Honourable Member to it.

LICENSED PORTERS ON THE EAST INDIAN RAILWAY.

1092. ***Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

- (a) if it is a fact that the licensed porters on the East Indian Railway do not come under the category of railway labour, railway employees or railway men;
- (b) if it is a fact that the Railway Administrations give the porters their licence numbers, fix the rates for carrying the luggage of passengers and take their own work from them of loading and unloading goods entrusted to the railway for transit; and

- (c) if Government or the Railways have received any representation that the porters should be included in the category of railway labour, railway employees or railway men?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) The licensing is done by the contractors, but the Railway Administration prescribes a rate to be charged for conveying the passengers' luggage.

Where the agreement with the contractor provides for his remuneration by the Railway for handling packages, he makes his own arrangements with the licensed porters.

(c) Government have received no such representation and have no information as to whether Railway Administrations have been approached in the matter.

Mr. Sri Prakasa: Is it not a fact that the East Indian Railway administration has been approached by some organisations in Lucknow and Moghal Sarai in this behalf?

The Honourable Sir Thomas Stewart: I have no information as regards Lucknow, but I am answering a question in regard to Moghal Sarai later in the morning.

Prof. N. G. Ranga: What is the policy of Government in regard to part (a) of the question—whether Government are prepared to include these people in the category of railway labour?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to the speech I made in the course of the railway budget debates of 1938.

JOINING OF THE RAILWAYMEN'S UNION AT CHARBAGH ON THE EAST INDIAN RAILWAY BY PORTERS AT MOGHAL SARAI.

1093. ***Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

- (a) if it is a fact that there is a Railwaymen's Union at Charbagh on the East Indian Railway;
- (b) if the said Union is recognised by the Railway Administration;
- (c) if it has authorised porters at Moghal Sarai on the same railway to be enrolled as members of the Union; and
- (d) if there is any objection on behalf of the Railway or the contractors of licensed porters at Moghal Sarai to recognise the right of the Union to represent the difficulties of the porters at Moghal Sarai to them?

The Honourable Sir Thomas Stewart: (a) and (b). Yes.

(c) No.

(d) The recognition by the Railway Administration of a Union does not carry with it the implication that the Administration will entertain representations in respect of licensed porters who are not railway servants.

CONTRACTS FOR SUPPLY OF PORTERS ON THE EAST INDIAN RAILWAY.

1094. *Mr. Sri Prakasa: Will the Honourable Member for Railways state:

- (a) if the East Indian Railway Administration, while giving contracts for the supply of porters at its railway stations, reserves to itself any right to see that the contractors employ the men on equitable conditions;
- (b) the conditions on which contractors at Lucknow and Moghal Sarai employ porters;
- (c) if over and above the contracted rate, the contractors charge an extra one anna per day from each porter at the station;
- (d) the actual cost of the uniform that is supplied to each porter and the amount that is charged from him by the contractors; and
- (e) the amount, if any, paid by the Railway to the contractors for its own work of loading and unloading goods at the Lucknow and Moghal Sarai stations and the amount paid by the contractors to the porters for such work?

The Honourable Sir Thomas Stewart: (a) and (b). The conditions prescribed by the Railway Administration will be found in the information placed on the table of the Council of State on the 15th November, 1937, in connection with the Honourable Pandit Hirday Nath Kunzru's question No. 270 of the 5th October, 1937, to which I have referred in my reply given today to his question No. 1091.

(c), (d) and (e). I have called for the information and will place a reply on the table of this House when received.

Prof. N. G. Ranga: Have Government come to any conclusion in regard to their consideration of the question whether these porters should be engaged directly by the railway authorities and not through these contractors?

The Honourable Sir Thomas Stewart: The last word, so far as I know, on the subject is contained in the speech to which I have already referred the Honourable Member.

Prof. N. G. Ranga: We were then given to understand that Government were still considering that particular question and we have not thereafter been told that Government have decided one way or the other.

The Honourable Sir Thomas Stewart: My recollection is not in accordance with the Honourable Member's.

MISSILE THROWN ON A COMPARTMENT OF 8 DOWN DELHI EXPRESS BETWEEN BARAKA AND KULTI.

1095. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state whether the report of the Associated Press of India, dated Asansole, the 16th January, 1939, that the window of a first class compartment of 8 Down Delhi Express was hit by a missile which

exploded with a loud report giving the smell of gunpowder, between Baraka and Kulti, is correct, and whether this incident is connected with the Hazaribagh Road Disaster?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to the reply given to his starred question No. 681 of the 24th February, 1939.

Mr. Brojendra Narayan Chandhury: May I know whether Government have reasons to believe that in both these cases it is probably the work of the same class of persons, whether they be revolutionaries or disgruntled railway officials?

The Honourable Sir Thomas Stewart: No. I have no information to that effect.

CONTRACT FOR THE CARRIAGE OF MAILS BETWEEN CERTAIN PORTS.

1096. ***Mr. K. Santhanam:** (a) Will the Honourable Member for Communications be pleased to state if the Government of India have recently entered into any contract with a shipping company, or companies, for the carriage of mails between certain ports in India as well as between certain ports in India and ports in Burma, Persian Gulf, Africa, etc.

(b) If the answer to part (a) be in the affirmative, will the Honourable Member be pleased to state:

- (i) the name or names of the company or companies with which they have entered into such contract;
- (ii) the different lines of communications for which contract has been made;
- (iii) the annual subsidy and other assistance, if any, payable for each of these lines of communications; and
- (iv) the period of contract for each of these lines of communications?

(c) Will the Honourable Member be pleased to lay on the table a copy of this contract?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) (i). Messrs. British India Steam Navigation Company, Limited.

(ii) I lay a statement on the table.

(iii) and (iv). No subsidy or other assistance is given to the company but a sum of Rs. 8,68,275 per annum is payable for services rendered by them. The contract is a consolidated one for all the lines. It commenced on the 1st October, 1938, and will continue in force for a period of ten years.

(c) The formal contract is not yet executed; when ready, a copy will be placed in the Library of the House.

Statement showing the lines of communication for which contract has been made between the Government of India and the British India Steam Navigation Company.

Line No.	Periodical sailings.	Line.
1	Weekly	Calcutta to Rangoon and back (<i>direct</i>).
2	Do.	Calcutta to Rangoon and back (<i>direct</i>).
3	Do.	Calcutta to Rangoon and back (<i>direct</i>).
4	Do.	Madras to Rangoon and back.
5	Do.	Bombay to Karachi and back.
6	Do.	Karachi to Pasni, Guadur, Charbar, Muscat, Jask, Bandar-Abbas, Linga, Dubai, Bahrein, Bushire, Kuwait, Khoramshahr and Basrah and back.
7-A	Once every four weeks.	Bombay to Seychelles, Mombasa, Zanzibar, Mozambique, Beira, Delagoa Bay and Durban and back.
7-B	Once every four weeks.	Bombay to Lamu, Mombasa, Zanzibar, Dar-es-Salaam, Beira, Delagoa Bay and Durban and back.

Mr. K. Santhanam: May I know whether any tenders were called for before this contract was entered into?

The Honourable Sir Thomas Stewart: There was an open competitive call.

Mr. K. Santhanam: May I know how many people competed for this?

The Honourable Sir Thomas Stewart: Only one tender was received.

COVERING OF THE PLATFORM AT INDORE RAILWAY STATION.

1097. *Mr. Sham Lal: (a) Will the Honourable the Railway Member be pleased to state whether Indore is an important railway station on the Bombay, Baroda and Central India Railway?

(b) What is the approximate annual income from that station?

(c) Is the railway platform at Indore railway station uncovered and are Government aware that it causes great inconvenience to the passengers?

(d) Are Government prepared to consider the advisability of asking the Bombay, Baroda and Central India Railway's Company to have a covered platform at Indore railway station?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) and (c). Government have no information.

(d) The provision of coverings to platforms is within the discretion of Bombay, Baroda and Central India Railway Company to have a covered Local Advisory Committees.

Mr. Sham Lal: Are Government prepared to make a recommendation that the platforms should be covered?

The Honourable Sir Thomas Stewart: No. I can make no such recommendation.

Prof. N. G. Ranga: Will Government be pleased to send this question and the answer to the concerned railway?

The Honourable Sir Thomas Stewart: Yes. I have no objection to doing so.

Mr. Lalchand Navalrai: In view of the fact that these platform questions are so many and they are not being well attended to by the divisional officers or by the Agents, will the Honourable Member lay down a policy as to what height they should be, at what place they should be, how they should be uniform and so on?

The Honourable Sir Thomas Stewart: No, Sir. I have said in the course of my reply to this question that these are matters that are entirely within the discretion of the railway administrations. I see no reason to interfere with that discretion.

Mr. Lalchand Navalrai: When the complaint is so common will the Honourable Member not lay down certain rules for this purpose?

The Honourable Sir Thomas Stewart: No, Sir. I can see no necessity for so doing.

ANNUAL LOSS ON THE ROHTAK-GOHANA-PANIPAT RAILWAY.

1098. ***Mr. Sham Lal:** (a) Will the Honourable the Railway Member be pleased to state the net annual loss on the Rohtak-Gohana-Panipat Railway?

(b) Has the loss been reduced this year?

(c) Are Government aware that the line passes through the canal irrigated area?

(d) Are Government aware that grain markets, costing lakhs of rupees, have been established at various railway stations of this line?

(e) Is there any idea of closing this line?

(f) Are Government prepared to give proper opportunity to the representatives of the people before taking any such action?

The Honourable Sir Thomas Stewart: (a) The average annual loss for the last six years is approximately Rs. 23,000.

(b) There has been some improvement in the earnings during 1937-38.

(c) Yes.

(d) Grain markets have been established along the line, but their cost is not known.

(e) and (f). The question of closing the line is under examination by the North Western Railway Administration who have referred it to the Punjab Government. If the North Western Railway Administration proposes closure, the proposal will be placed before the Local Advisory Committee before the recommendations are forwarded to the Railway Board.

Prof. N. G. Ranga: Will Government also consult the Central Marketing Board working under the Government of India in order to see that when the railway is closed the grain markets will not be very badly affected and the marketing facilities provided thereby for the agriculturists will not be lost?

The Honourable Sir Thomas Stewart: I am not at the moment aware whether the Central Marketing Board can give advice on the matter, but I shall certainly note the Honourable Member's suggestion.

Mr. K. Santhanam: May I know if the Railway Board will give the Punjab Government the option of guaranteeing the loss if it is finally decided by the Government of India to close the railway line?

The Honourable Sir Thomas Stewart: That is indeed a possibility.

PASSENGER TRAIN LEAVING DELHI FOR LAHORE IN THE EVENING.

1099. ***Mr. Sham Lal:** (a) Will the Honourable the Railway Member be pleased to state whether it is a fact that there used to be a passenger train leaving Delhi for Lahore in the evening?

(b) Has that train been stopped?

(c) Is it a fact that due to this there is overcrowding in the Bhatinda express train which leaves Delhi at 9-30 P.M. and thus causes great inconvenience to the passengers?

(d) Are Government aware that for intermediate stations, the passenger train used to be the most convenient one?

(e) Are Government prepared to consider the advisability of starting that train from Delhi in the evening and also arranging the time-table in such a way that it may reach Lahore in the morning?

The Honourable Sir Thomas Stewart: (a) and (b). Yes.

(c) A tendency to overcrowding has been observed on occasions.

(d) This would not appear to be borne out by the fact that this train was poorly patronised and unremunerative between Jind and Bhatinda.

(e) Government understand that the North Western Railway Administration intend introducing from the 1st of April, a through train from Delhi to Lahore, leaving Delhi at about 18 hours and arriving Lahore at about 9 hours the next morning.

Mr. Lalchand Navarai: May I know from the Honourable Member whether that train will also give connection to some direct train to Karachi?

The Honourable Sir Thomas Stewart: I should require notice.

Mr. Lalchand Navarai: I am very anxious about a direct connection between Delhi and Karachi. May I know what is the Honourable Member's reply?

The Honourable Sir Thomas Stewart: I understand the Honourable Member's anxiety, but I must have notice of the question.

DISINFECTING FLUIDS USED BY STATE RAILWAYS.

1100. *Mr. K. Santhanam: Will the Honourable Member for Railways please state:

- (a) with respect to his answer to question No. 30, dated the 3rd February, 1939, the average prices of the foreign and Indian manufactured disinfecting fluids bought for the State-managed Railways in India;
- (b) whether he is aware that the Indian firms who supplied the 16 per cent. were producing sufficient quantities to supply all the 18,599 gallons, if required; and
- (c) whether there is any standing contract with any firms, foreign or Indian, for the supply of such fluids over a period of years, or whether the entire quantity is bought annually by open tenders?

The Honourable Sir Thomas Stewart: (a) The information required by the Honourable Member may be obtained from the statement laid on the table of the House in reply to Mr. Manu Subedar's starred question No. 656, dated the 24th February, 1939.

(b) Government have no definite information but they presume that the Indian firm concerned could have supplied the entire quantity if required.

(c) The entire quantity is bought annually by open tenders. No contract has been arranged for a period of years.

MANUFACTURE OF CERTAIN IMPORTED ARTICLES REQUIRED BY RAILWAYS IN INDIA.

1101. *Mr. K. Santhanam: Will the Honourable Member for Railways please state:

- (a) which articles mentioned in the list given on pages 40 and 41 of Volume I, No. 1 of the Legislative Assembly Debates of the 3rd February, 1939, are not manufactured at all in India;
- (b) which are the articles partially manufactured in India and in the case of each, the value of its purchase of Indian and a foreign manufacture during 1937-38;
- (c) whether the matter is being reviewed annually, or after a fixed period of years; and
- (d) whether attempts are being made to induce Indian manufacturers to manufacture the articles now imported?

The Honourable Sir Thomas Stewart: (a) I lay a statement on the table showing the main categories included in the list referred to by the Honourable Member which are believed to include no articles manufactured in India.

(b) Articles falling under the main categories excluded from the statement are obtained partly from indigenous sources and partly by import. In regard to the value of purchases of Indian and foreign manufacture during 1937-38 Government have no information beyond that given in Appendix A of Volume II of the Report by the Railway Board on Indian Railways for 1937-38, a copy of which is available in the Library of the House.

(c) The possibility of obtaining Railway's requirements from indigenous sources is brought under constant review by inviting tenders for the whole of the State-managed Railways requirements in India and by the scrutiny of Company-managed State Railway's home indents.

(d) The possibility of manufacture in India is constantly kept in view and attempts are always made to induce, advise and assist manufacturers in India to take up the manufacture of new articles.

Statement.

- Eal. Axles, tyres, boiler plates steel (acid), boiler plates copper, boiler tubes.
- Eb1. Wheels and axles.
- Eb6. Linoleum.
- F2. Poles (tabular), burners, glasses and roundels.
- Ga. Files, saw blades and abrasive wheels.
- Gb1. Screws (wood), chains (iron) and copper piping.
- Gb3. Hoses, rubber and canvas (continuous), flax canvas and I. R. sheet.
- Gb4. Tin, lead, zinc, extruded brass bars and bright draw steel bars.
- Gb10. Crucibles, carbide of calcium, fog signals, glass and emery paper, gauge glasses and asbestos packing.
- Ha. Spares for diessel generators.
- Hb. Accumulators complete (train lighting) switchgear, electrolyte and belt fasteners.

Mr. K. Santhanam: May I know if the assistance of the Director of Public Information has been secured to give publicity for these articles which are manufactured in India?

The Honourable Sir Thomas Stewart: I am not so aware but the Honourable Member will perhaps remember that the Director General of Commercial Intelligence and Statistics issues a weekly publication in which all open tenders are set out and I believe it to be the case that the existence of this publication is known to all people interested in business in India.

ARTICLES PURCHASED BY THE MADRAS AND KARACHI PORT TRUSTS
OUTSIDE INDIA.

1102. ***Mr. K. Santhanam:** Will the Honourable Member for Communications please state, with reference to his statement laid on the table on the 3rd February, 1939, and printed on page 44 of Volume I, No. 1, of the Legislative Assembly Debates of 1939:

- (a) the chief articles purchased by the Port Trusts of Madras and Karachi outside India in 1937-38;
- (b) the agency used by the Karachi Port Trust for such purchase;
- (c) the commissions paid by the two Port Trusts for such purchase; and
- (d) whether Government have taken any steps to induce all the Port Trusts to purchase all their articles through the Indian Stores Department?

The Honourable Sir Thomas Stewart: (a) *Madras.*—Large electric cranes.

Karachi.—Four electrically driven turbine pumps and a new sea-going tug (cost of which was partly met in 1936-37 and partly in 1937-38).

(b) Messrs. Rendel Palmer and Tritton, London.

(c) I would invite the attention of the Honourable Member to the reply given to part (b) of Mr. Sami Vencatachalam Chetty's starred question No. 1202 on the 3rd February, 1939. In the cases of Karachi and Madras, it is not possible to allocate correctly the payments made to the firms in respect of their functions as Purchasing Agents and in respect of their functions as Consulting Engineers.

(d) The Port Trusts are authorised by the Statutes governing them to make their own arrangements for the purchase of stores and Government have no power to compel them to use the agency of the Indian Stores Department. The Trusts are, however, well aware of the facilities provided by the Indian Stores Department and some of them do, on occasions, make use of them.

Mr. K. Santhanam: May I know if the Port Trusts of Karachi and Madras have got any contract with their Consulting Engineers to buy the articles through them?

The Honourable Sir Thomas Stewart: I should require notice of that, I am afraid.

Mr. Lalchand Navalrai: May I know why they are not purchasing through the High Commissioner?

The Honourable Sir Thomas Stewart: I have explained in answer to the question that under the statute governing the constitution of these bodies they are entitled to make their own arrangements regarding their purchases. There can be no question of compelling them to use any particular agency.

Mr. Lalchand Navalrai: I am not referring to compulsion. Will the Honourable Member give them advice to purchase through the Indian Stores Department?

The Honourable Sir Thomas Stewart: I have already said that the various Port Trusts are well aware of the advantages that may be secured through the use of the Indian Stores Department.

NON-SUPPLY OF WATER TO ANIMALS AT GOODS SHEDS ON THE MADRAS AND SOUTHERN MAHRATTA AND BENGAL NAGPUR RAILWAYS.

1103. ***Mr. K. S. Gupta:** (a) Will the Honourable Member for Railways please state whether he is aware that no supply of water is made to the cattle at the goods sheds attached to the stations on the Madras and Southern Mahratta Railway and the Bengal Nagpur Railway?

(b) Is it not a fact that several bullock carts have to wait for hours at the goods sheds to load and unload goods?

(c) Was there any representation made by the Andhra Passengers' Association to the authorities of the Madras and Southern Mahratta Railway with regard to the supply of water to the animals at the various goods sheds? If so, what is the action taken, or is proposed to be taken, to meet the demand?

The Honourable Sir Thomas Stewart: (a) The Madras and Southern Mahratta Railway have provided water troughs for animals at four stations and the Bengal Nagpur Railway at nine stations.

(b) Presumably, the carts have to wait until their goods are unloaded but these operations are carried out with the greatest expedition possible.

(c) Government understand that the Madras and Southern Mahratta Railway have no trace of any communication on this subject from the Association mentioned in the question.

Prof. N. G. Ranga: Will Government see to it that at all the important stations where there is large goods traffic water troughs will be provided for the bullocks?

The Honourable Sir Thomas Stewart: I am unable to say whether at all such important stations it is necessary to provide these special facilities.

Prof. N. G. Ranga: Are we then to understand that there are only nine stations in the whole of the M. and S. M. Railway where important goods traffic is carried on and water troughs provided?

The Honourable Sir Thomas Stewart: I put it to the Honourable Member that there may be a very large number of stations at which other sources of water are available.

RAILWAY ADVISORY COMMITTEES.

1104. *Mr. K. S. Gupta: (a) Will the Honourable the Railway Member please state whether the Railway Advisory Committees are public or private bodies?

(b) Are proceedings of these Railway Advisory Committees open to the press? If so, does the Honourable Member propose to consider the necessity of publishing the minutes of these Committee meetings in papers published in the areas concerned?

(c) Is the Honourable Member aware that the Chairman of the Madras and Southern Mahratta Railway Advisory Committee passed a rule that the proceedings and the minutes of the meetings of the Committee should be kept 'Confidential'? If so, what is the reasons for keeping them Confidential?

(d) Is the Honourable Member aware that the Andhra Passengers' Association, a registered body, is not allowed by the Chairman of the Madras and Southern Mahratta Railway Advisory Committee to carry on any direct correspondence with him (the Chairman) with regard to the grievances of Railway passengers and of merchants?

(e) If it is a fact, is the Honourable Member prepared to instruct the Chairman of the Advisory Committee, Madras and Southern Mahratta Railway, to permit direct correspondence?

The Honourable Sir Thomas Stewart: (a) I would refer the Honourable Member to the Railway Board's memorandum No. 446-T/II, dated the 19th August, 1936, following page 53 of the Summary of the Proceedings of the Meetings of the Central Advisory Council for Railways held at Simla on the 3rd and 8th October, 1936, and leave him to draw his own conclusion.

(b) No, but a short summary of the proceedings is published in the Press.

(c) The proceedings and minutes of meetings of all Local Advisory Committees are confidential, for the very good reason that this enables Agents and General Managers to discuss matters freely with the Committees without feeling that they are making public pronouncements. It also tends to minimise formalities.

(d) and (e). Government understand that correspondence from the Andhra Passengers' Association mentioned by the Honourable Member is being answered since 1936.

Prof. N. G. Ranga: Are we to understand that the summary that is being supplied to Members of this House in regard to the proceedings of the various Local Advisory Committees is also made available to the Press?

The Honourable Sir Thomas Stewart: My answer to part (b) is to the effect that a short summary of the proceedings is published in the Press.

Mr. T. S. Avinashilingam Chettiar: May I know whether only the proceedings are confidential or the decisions are also confidential?

The Honourable Sir Thomas Stewart: A summary of the proceedings presumably includes the decisions arrived at and if they are published, then I deduce that they are not confidential.

Prof. N. G. Ranga: Is the Honourable Member satisfied that these summaries are published in respect of every one of the meetings of the Local Advisory Committee of the M. and S. M. Railway?

The Honourable Sir Thomas Stewart: That is the information at my disposal.

CIRCULAR ISSUED TO THE TRAVELLING TICKET COLLECTORS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY TO COLLECT EXCESS FARES.

1105. ***Mr. K. S. Gupta:** Will the Honourable Member for Railways please state whether it is a fact that the Travelling Ticket Inspectors on the Madras and Southern Mahratta Railway are served with a circular to the effect that unless they collect some excess everyday their promotions would be barred and notice will be taken as negligence of duty?

The Honourable Sir Thomas Stewart: Government understand that no such circular has been issued.

Mr. Lalchand Navalrai: If no circular has been issued, is it not a fact that they get promotion by catching people and charging excess?

The Honourable Sir Thomas Stewart: If a man's duty is to catch people and he performs that duty with assiduity and success, that is certainly a factor to be taken into consideration when his promotion is under consideration

INDIANS KILLED OR INJURED BY THE DROPPING OF BOMBS IN THE BRITISH AREA IN SHANGHAI.

1106. ***Mr. T. S. Avinashilingam Chettiar:** Will the Foreign Secretary state:

- (a) whether he is aware of the news in the first page of the *Hindustan Times*, dated the 22nd February, 1939, that bombs were dropped in the British area in Shanghai and an Indian was killed;
- (b) whether the report is true;
- (c) till now, how many Indians have been killed or injured on account of bombing or other such action; and
- (d) whether the Indian Army stationed there was ever called to action and if so, on how many occasions?

Sir Aubrey Metcalfe: (a) and (b). I have seen the newspaper report as well as later Press reports. Government have, however, received no official information regarding the loss of any Indian life.

(c) I would draw the attention of the Honourable Member to the reply which I gave in this House on 31st January, 1938, to part (i) of Mr. Badri Dutt Pande's question No. 20. Since then Government have received no intimation of further injury to or loss of life of Indians.

(d) Government have no information.

Mr. T. S. Avinashilingam Chettiar: May I know whether Government have called for information on receipt of this question?

Sir Aubrey Metcalfe: No.

Mr. T. S. Avinashilingam Chettiar: May I know whether the position of Government is that they get automatic information from Shanghai or they call for information when such news appear in the papers?

Sir Aubrey Metcalfe: They get a certain amount of information through official sources. We have had information but there has been nothing said in any of the reports that I have seen about any loss of life.

Mr. K. Santhanam: With reference to part (d) may I know whether the Indian regiments are likely to be recalled in the near future?

Sir Aubrey Metcalfe: I submit that that is neither within my knowledge, nor does it arise out of this question.

Mr. T. S. Avinashilingam Chettiar: Sir, the Honourable Member said that he has not received any information about the loss of any Indian life. May I know whether there has been any injury to any Indian life with reference to this matter?

Sir Aubrey Metcalfe: No, so far as I have heard, there has been no loss or injury to any person.

DRAINAGE SCHEME AT LHAKSAR STATION ON THE EAST INDIAN RAILWAY.

1107. ***Mr. Abdul Qaiyum** (on behalf of Choudhri Raghbir Narayan Singh): Will the Honourable the Railway Member be pleased to state what the estimate of the proposed drainage scheme at Lhaksar station of the East Indian Railway was, and what was the actual expenditure?

The Honourable Sir Thomas Stewart: With your permission, Sir, I propose to reply to questions Nos. 1107 and 1108 together.

Information is being obtained from the Railway Administration concerned and will be placed on the table in due course.

Mr. Abdul Qaiyum: May I know when the information was called for?

The Honourable Sir Thomas Stewart: I could not give the precise date but I can assure the Honourable Member that it was after receipt of notice of the question.

DRAINAGE SCHEME AT LHAKSAR STATION ON THE EAST INDIAN RAILWAY.

†1108. ***Mr. Abdul Qaiyum** (on behalf of Choudhri Raghbir Narayan Singh): (a) Will the Honourable the Railway Member please state if it is a fact that the supervising staff of the drainage scheme at Lhaksar station started the construction of drains on wrong level and altered the original level shown in the sanctioned drawing, and this was done by them without the sanction of the Chief Engineer?

(b) Is it a fact that after the completion of all the drains it was discovered that the drain had been constructed two feet below the actual level and had to be subsequently raised up?

(c) Is it a fact that as a result of raising the level the drains for about a mile had to be dismantled?

(d) Is it a fact that after dismantling all the drains had to be reconstructed on actual level shown in the original drawing?

(e) What was the expenditure which had to be incurred on this account and who was held responsible, and what action was taken against them?

(f) Is it a fact that the supervising staff are not allowed to make any changes in the original drawing, unless it is sanctioned by the Chief Engineer?

CRACKS IN THE NEW BUILDING OF HARDWAR RAILWAY STATION.

1109. ***Mr. Abdul Qaiyum** (on behalf of Choudhri Raghbir Narayan Singh): (a) Will the Honourable Member for Railways please state if it is a fact that the new building of Hardwar Railway station has suffered serious cracks in January, 1939, i.e., hardly after about nine months of its construction?

(b) Is it a fact that the cracks are of a dangerous nature and, they might lead to a danger to the safety of the Railway staff and the travelling public?

(c) Do Government propose to institute enquiries into the cause due to which the new building erected in April, 1938, has suffered serious damages? If not, why not?

†For answer to this question, see answer to question No. 1107.

The Honourable Sir Thomas Stewart: Information is being obtained from the Railway Administration concerned and will be placed on the table of the House in due course.

Mr. Badri Dutt Pande: Was this station built by a contractor or by departmental labour—has the Honourable Member any idea?

The Honourable Sir Thomas Stewart: I should require notice of that question.

Mr. Abdul Qaiyum: May I know when this new building was completed, and what was the actual cost?

The Honourable Sir Thomas Stewart: I should require notice of that too.

Mr. Lalchand Navalrai: Has the Honourable Member got any information as to how much has been the cost of reconstruction?

The Honourable Sir Thomas Stewart: If the Honourable Member wishes any additional information, he may put down a question.

RAILWAY CONTRIBUTIONS TO GENERAL REVENUES AND DEPRECIATION FUND, ETC.

1110. ***Mr. K. Santhanam** (on behalf of Mr. S. Satyamurti): Will the Honourable Member for Railways please state:

- (a) when the moratorium given by a Resolution of this House to the Railway Board in respect of their arrears of contribution and future payments to the depreciation fund and the general revenues expires;
- (b) whether before that date Government propose to place before the House comprehensive proposals with respect to all aspects of railway finance, especially the contributions to the general revenues from railways, year after year, the contribution to the depreciation fund and the contribution, if any, to the special reserve fund;
- (c) when they propose to place these before the House; and
- (d) whether they propose to do so before the establishment of the Federal Railway Authority, and whether they will abide by the verdict of the House in respect of these matters; if not, why not?

The Honourable Sir Thomas Stewart: With your permission, Sir, I shall answer questions Nos. 1110 and 1111 together.

I cannot at present usefully add to the remarks I made on these subjects in my speech in this House on the 20th February last, in the debate on the Honourable Member's cut motion regarding a long-range policy in railway finance. I can give no undertaking of the nature suggested in the latter part of part (d) of question No. 1110 but I can assure the Honourable Member that the views of the House will be fully considered before Government arrive at a decision on these matters.

Mr. T. S. Avinashilingam Chettiar: May I know, if I heard the Honourable Member correctly that he did not come to any decision over the matter, whether he did not say that they were considering the bringing forward of a fresh Resolution? May I know if he did not make a definite statement in his last speech?

The Honourable Sir Thomas Stewart: I think the Honourable Member's recollection is at fault.

RAILWAY CONTRIBUTION TO DEPRECIATION FUND.

†1111. ***Mr. K. Santhanam** (on behalf of Mr. S. Satyamurti): Will the Honourable Member for Railways please state:

- (a) whether Government have come to any conclusion with regard to the contribution to the depreciation fund from the railway earnings year after year; and the maximum or the minimum depreciation fund which should be built up, and the period of time during which it should be so built up;
- (b) if so, what those conclusions are; and
- (c) the reasons on which those conclusions are based?

EXCLUSION OF INDIANS FROM FLYING CLUBS IN ENGLAND.

1112. ***Mr. K. Santhanam** (on behalf of Mr. S. Satyamurti): Will the Secretary for External Affairs please state:

- (a) whether his attention has been drawn to the question and answer in the House of Commons on 22nd February, 1939, regarding Indians being victimised on account of colour bar in a number of flying clubs;
- (b) how many flying clubs in England exclude Indians on the basis of colour bar;
- (c) whether it is a fact that Indians are excluded; if so, on what grounds; and
- (d) whether Government propose to ascertain the attitude of the British Government in the matter as regards the exclusion of Indians from flying clubs and communicate the information to the House?

Sir Aubrey Metcalfe: The question should have been addressed to the Secretary in the Education, Health and Lands Department.

BOMBS DROPPED ON BRITISH TERRITORY DURING A JAPANESE AIR RAID.

1113. ***Mr. K. Santhanam** (on behalf of Mr. S. Satyamurti): Will the Secretary for External Affairs please state:

- (a) whether it is a fact that, as reported in a telegram from Hong-kong, published in newspapers that bombs were dropped on British territory during a Japanese air raid and one fell near the military block house, killing one Indian and several Chinese;
- (b) whether Government have ascertained definite information about this matter; and
- (c) whether steps are being taken to prevent such attacks in the future?

†For answer to this question, see answer to question No. 1110.

Sir Aubrey Metcalfe: (a) and (b). It is a fact that bombs were dropped within the Hongkong leased territory but Government have received no information regarding the loss of life.

(c) The Japanese Government have undertaken to ensure that there will be no repetition of such an incident.

Mr. K. Santhanam: May I know if those undertakings are of more value than the undertakings of Herr Hitler?

(No answer.)

ALLEGATIONS AGAINST A EUROPEAN OFFICER AT JARTALON RAILWAY STATION.

1114. *Babu Baijnath Bajoria: (a) Has the attention of the Honourable Member for Railways been drawn to the news appearing in the Hindi newspaper, *Daily Arjun* of the 19th February, 1939 in which it is stated that a European officer kicked out of the train a boy sitting in the servants' compartment at Jartalón station?

(b) Is it a fact that, due to the above incident, there was every possibility of assault and disturbance and the train was delayed four hours?

(c) Have Government taken any action against the said officer? If so, what? If not, why not?

(d) Do Government propose to take necessary steps to avoid recurrence of such incidents?

The Honourable Sir Thomas Stewart: This question should have been addressed to the Honourable the Defence Secretary.

OVERCROWDING IN TRAINS.

1115. *Babu Baijnath Bajoria: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that section 93 of the Indian Railways Act provides that if a Railway company contravenes the provisions of section 63 of the said Act with respect to the maximum number of passengers to be carried in each compartment, it shall forfeit to Government Rs. 25 per day during which it so contravenes the Act?

(b) If the answer to part (a) be in the affirmative, will the Honourable Member please state how many times during the last three years this section 93 was applied against the Railways for overcrowding and what sum of money received from them as penalty? If not, why not?

(c) Do Government propose to enforce the provisions of section 93 of the said Act in future with a view to removing overcrowding of passengers in trains? If not, why not?

The Honourable Sir Thomas Stewart: (a) The Honourable Member has quoted the provisions of section 93 with substantial accuracy, except that the amount to be forfeited is Rs. 20, not Rs. 25 per day.

(b) No case has occurred in which Government have considered it necessary to take action under section 93.

(c) Yes: if and when circumstances arise necessitating such action being taken.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether such cases have happened where they have had to forfeit that amount but the cost was not realised—is that a fact? With reference to the answer to part (b) of the question, has no case occurred in which Government have considered it necessary to take action under section 93? Have any cases occurred where Government have not thought fit that a particular case comes under a particular section, or that such a case is to be excused? Is that a fact?

The Honourable Sir Thomas Stewart: Sir, the Honourable Member can draw his own conclusion from the very definite answer I have given to part (b) of the question.

Babu Baijnath Bajoria: Do Government mean that there has been no case of overcrowding and so section 93 does not apply?

The Honourable Sir Thomas Stewart: No, Sir.

Babu Baijnath Bajoria: If there has been any overcrowding, how has that section not been applied?

The Honourable Sir Thomas Stewart: Because the conditions in which such overcrowding has taken place may not have justified the application of section 93.

Mr. Lalchand Navalrai: When information that overcrowding has taken place on a particular date reaches the Government, how is that conveyed, or how is the Government going to know that?

The Honourable Sir Thomas Stewart: I think within the past month I informed the Honourable Member amongst other Honourable Members of this House that a fairly comprehensive census of overcrowding was carried out.

Babu Baijnath Bajoria: May I know what are the conditions under which this section 93 will not apply?

The Honourable Sir Thomas Stewart: Well, Sir, one case that suggests itself to me is when overcrowding is entirely due to the irresponsibility of the passengers who overcrowd.

Mr. Lalchand Navalrai: May I know if "overcrowding" means "traveling in a compartment of a number more than is written there or prescribed"? Is that so?

The Honourable Sir Thomas Stewart: I am prepared to accept the Honourable Member's definition?

Prof. N. G. Ranga: Is it not a fact that a passenger is entitled to pull the chain if there is any overcrowding in the compartment if he has informed the railway station at any particular station of the overcrowding and the overcrowding is not relieved?

The Honourable Sir Thomas Stewart: There is a later question on the point.

Babu Baijnath Bajoria: Is it not a fact that if section 93 is applied, there will be less overcrowding in future?

The Honourable Sir Thomas Stewart: I do not think that that would be the case.

PULLING OF ALARM CHAIN FOR OVERCROWDING IN TRAINS.

1116. *Babu Baijnath Bajoria: (a) Will the Honourable Member for Railways be pleased to state whether it is an offence to pull an alarm chain for overcrowding in the compartment?

(b) Was this question decided by any court, and, if so, with what result?

(c) Are Government prepared to issue orders that no prosecution shall be launched when the alarm chain is pulled for overcrowding? If not, why not?

The Honourable Sir Thomas Stewart: (a) I conceive that the answer depends on the facts of each particular case.

(b) The question was decided in the negative on the particular facts of the cases reported in the Indian Law Report, 1, Patna, 260 and 32, Bombay Law Reporter, 111.

(c) No; because the propriety of a prosecution depends on the facts of each particular case and there would be no justification for a general order in the sense contemplated.

Mr. K. Santhanam: May I know if Government will put up boards detailing the circumstances in which passengers will be entitled to pull the chain? Now it merely says that the unauthorised pulling of the chain will be subject to a fine of Rs. 50. That conveys no information of the rights and wrongs of passengers. Will Government put up a Board giving the circumstances in which the passengers will be entitled to pull the chain?

The Honourable Sir Thomas Stewart: No, Sir, I am afraid I can give no such guarantee.

Prof. N. G. Ranga: Is it the policy of Government to prosecute those people also who pull the chain because of overcrowding after having reported about it to the local station master and then finding that the railway staff was not prepared to relieve the overcrowding?

The Honourable Sir Thomas Stewart: It is not the policy of the Government to prosecute passengers who have pulled the chain in circumstances analogous to those which have already been the subject of the legal decisions quoted.

Mr. Mohan Lal Saksena: Can the Honourable Member state the conditions under which a man will be put into jail for pulling the chain for overcrowding?

The Honourable Sir Thomas Stewart: I would require notice of that.

Babu Baijnath Bajoria: Are Government aware that some delegates returning from the Tripuri Congress pulled the alarm chain and detained the train for three hours? Have any of them been prosecuted?

The Honourable Sir Thomas Stewart: I have no information beyond the newspaper report.

Mr. Lalchand Navalrai: I hope they were exempted!

REVISION OF TIME TABLES ON THE EAST INDIAN RAILWAY.

1117. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state:

- (a) the period after which passenger train time tables are revised by the East Indian Railway;
- (b) whether it is the practice of the Railway to consult the travelling public through the Passengers' Association at the time of revision; particularly as regards suburban trains, by calling for suggestions and then by joint conferences;
- (c) whether a revised time table is going to be issued from 1st April next; and
- (d) whether the Passengers' Associations, like the East Indian Railway Passenger Association, Serampore, have been consulted about this revision; if not, why not?

The Honourable Sir Thomas Stewart: (a) and (c). Under normal circumstances twice a year in April and October.

(b) and (d). Passengers' Associations should put forward any suggestions they have to the Local Advisory Committees for consideration by the Time Table Sub-Committees.

Mr. Brojendra Narayan Chaudhury: Is the Honourable Member aware that Mr. Dey, the President of the East Indian Railway Passengers' Association, was being consulted in the past by the East Indian Railway, but this time he has not been asked to give his advice?

The Honourable Sir Thomas Stewart: Well, Sir, I cannot blame the Railway Administration if it has adopted a more formal and correct procedure.

Mr. K. Santhanam: Sir, Mr. Manu Subedar had authorised Mr. Satya-murti to put the questions on his behalf, but at the last moment the latter was prevented from coming to the House. He has authorised me to put Mr. Manu Subedar's questions.

Mr. President (The Honourable Sir Abdur Rahim): As this is the first case of this kind, the Chair will allow the Honourable Member to put the questions under these exceptional circumstances, but it is not to be taken as a precedent.

**WITHDRAWAL OF CONCESSION FOR MULTIPLE ADDRESSES OF PRESS
TELEGRAMS.**

1118. *Mr. K. Santhanam (on behalf of Mr. Manu Subedar): (a) Will the Honourable the Communications Member please state at what stage the proposal for withdrawing the concession for multiple addresses of Press telegram is?

(b) Did a deputation on behalf of the Indian and Eastern Newspaper Society and News Agencies wait on the Director General of Posts and Telegraphs?

(c) What is the total revenue derived by Government from Press telegrams for each of the last three years for which accounts are available?

(d) What was the alleged loss to Government through press telegrams during each of these three years? In what manner is this loss calculated as a loss?

(e) What is the amount of saving which Government expect to effect by the withdrawal of the concession so far as (i) the equipment of the Telegraph Department, and (ii) wages and salaries, are concerned?

(f) Were any promises or assurances given on this matter by Government at any previous time when the concession was given?

The Honourable Sir Thomas Stewart: (a) A proposal to that effect is under departmental examination, but has not so far reached Government.

(b) Yes.

(c) The total revenue derived from press telegrams for the last three financial years is estimated to have been 6.35 lakhs, 6.09 lakhs and 6.73 lakhs, respectively.

(d) The loss to Government, through press telegrams during the same three years, is estimated to have been 12.46 lakhs, 12.52 lakhs and 8.66 lakhs, respectively.

The loss has been estimated on the basis of the saving in costs that could have been effected if the press traffic had not been handled at all by the department. This is in accordance with the recommendation made by the Posts and Telegraphs Accounts Enquiry Committee, 1931, in paragraph 129 of their Report.

(e) There will be additional revenue if the traffic does not fall as a result of the withdrawal of the concession. If traffic falls, there will be ultimate saving in expenditure on staff. It is not possible to estimate this saving at present as it will depend on the extent to which press traffic may fall.

(f) Government are unable to trace any promises or assurances, but I will be glad if the Honourable Member will draw my attention to them, if any.

Mr. K. Santhanam: May I know if this House will be consulted before the concessions are withdrawn?

The Honourable Sir Thomas Stewart: No, Sir.

Mr. K. Santhanam: May I know if the withdrawal of the concessions will not result in a practical monopoly by the Associated Press which has got special lines which connect the important centres?

The Honourable Sir Thomas Stewart: I suggest that the Honourable Member's question is entirely hypothetical. The proposal to withdraw the press concessions is at the present moment under consideration. It has not yet reached Government and no decision has been taken.

Mr. K. Santhanam: May I know what this House can do to express its opinion to prevent such concessions being withdrawn?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable the Railway Member is quite right in saying that it is a hypothetical question.

EXPIRY OF CONTRACT OF CERTAIN COMPANY-MANAGED RAILWAYS.

1119. ***Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state when the terms of contract of the following railways expire:

1. Madras and Southern Mahratta Railway, 2. South Indian Railway, 3. Bombay, Baroda and Central India Railway and 4. Bengal Nagpur Railway?

The Honourable Sir Thomas Stewart: I invite the attention of my Honourable friend to the reply given on the 29th November, 1938, to Mr. Satyamurti's starred question No. 1568.

Prof. N. G. Ranga: May I ask what the Government of India are doing in order to provide themselves with adequate funds to take over the management of these railways when the time comes?

The Honourable Sir Thomas Stewart: The position of Government in that respect has been very adequately explained in answer to previous questions and the supplementary questions.

Mr. K. Santhanam: May I ask if there is anything in the contract to prevent the Government of India to giving notice even now to the B. B. and C. I. Railway Company that they are going to resume the Railway in 1941?

The Honourable Sir Thomas Stewart: Without having an opportunity to study the contract, I am unable to answer that question.

Mr. K. Santhanam: May I know if Government have begun studying the contract now?

The Honourable Sir Thomas Stewart: So far as I am aware, the contract is not under immediate study.

Mr. K. Santhanam: Government have got only 12 months more to study the contract. Is it not, therefore, necessary for them to start its study?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of argument.

Mr. Badri Dutt Pande: May I ask what is the position about the R. K. R. and the B. N. W. R.?

The Honourable Sir Thomas Stewart: I do not see those Railways mentioned in this particular question.

FOREIGN MONEY SPENT IN INDIA.

1119A. *Mr. K. Santhanam (on behalf of Mr. Manu Subedar): (a) Will the Secretary for External Affairs please state whether the attention of Government has been drawn to an editorial note in the *Statesman*, dated the 3rd March, 1939, in which the following allegation has been made:

“Evidence of foreign money being spent in India is also, we understand, accumulating fast. One Power in particular seems to be acting in a manner which may require sharp action.”?

(b) Is it possible for Government to state what information they have on this subject and what steps are being taken to counteract this subversive propaganda by foreign powers?

(c) Have Government considered the desirability of taking the Leaders of Parties of this House in confidence on this subject?

(d) Have they apprised Provincial Governments of the danger and sought their co-operation for the suppression of such subversive propaganda, or for counteraction, where necessary?

Sir Aubrey Metcalfe: (a) to (d). This question should have been addressed to the Honourable the Home Member.

REPORT OF AN INTERVIEW WITH MAULANA ABUL KALAM AZAD ABOUT TRIBAL AREAS.

1119B. *Mr. H. A. Sathar H. Essak Sait: (a) Will the Foreign Secretary be pleased to state whether he has seen a report of an interview with Mr. Abul Kalam Azad, published at page 2 in the *Hindustan Times* of the 18th February, 1939, particularly the following passage therein:

“Referring to the Waziristan situation and the raids and kidnappings in the Frontier Province, Maulana Azad declared that the Congress had ultimately settled the question with the Central Government who should lend their whole-hearted co-operation to the Provincial Government of the Frontier”?

(b) Will the Honourable Member be pleased to state the terms of the settlement arrived at between the Congress and the Central Government?

(c) Are the Provincial Government of the Frontier Province to be given a free hand in the matter of dealing with the tribal area?

(d) Is the tribal area to be brought under the administration of the North-West Frontier Province Government?

(e) What is the amount and the nature of the whole-hearted co-operation (mentioned in the statement of Mr. Azad) that the Central Government are to give to the Government of the Frontier Province?

(f) Will the Honourable Member be pleased to lay on the table a copy of “the settlement” and copies of the correspondence on this subject?

Sir Aubrey Metcalfe: (a) Yes.

(b) The Government of India have no information regarding any such settlement.

(c) No.

(d) No.

(e) and (f). Do not arise.

Mr. Lalchand Navalrai: May I ask if the raids and the kidnapping in the Frontier have now decreased?

Sir Aubrey Metcalfe: There has been some decrease recently.

Mr. Abdul Qaiyum: What is the answer to part (d) of the question.

Sir Aubrey Metcalfe: The answer to part (d) of the question is "No".

Mr. Abdul Qaiyum: May I ask if the Government of India have considered this matter with reference to Kurram and Malakand agencies?

Sir Aubrey Metcalfe: No.

Mr. Abdul Qaiyum: What is the policy of the Government of India about the transfer of these areas?

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow the Honourable Member to have any discussion about the policy.

UNSTARRED QUESTIONS AND ANSWERS.

COLOUR TEST OF EMPLOYEES ON STATE RAILWAYS.

32. Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that on the North Western and other State Railways, Ishihara's colour perception test has been replaced by Narman's Lantern test, but on the East Indian Railway, Ishihara's test is still allowed to continue?

(b) Is it a fact that an employee who can normally distinguish between various colours, cannot do so when Ishihara's test is applied?

(c) How many employees have failed in colour test since Ishihara's test was introduced on the East Indian Railway?

(d) What are the reasons for having different methods of test on different State Railways?

(e) For what reasons Ishihara's test has been discontinued on other State Railways?

The Honourable Sir Thomas Stewart: I am obtaining the information asked for and will lay a reply on the table of the House in due course.

VISION TEST OF CLERKS ON THE EAST INDIAN RAILWAY.

33. Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable Member for Railways please state in what category Goods Clerks are placed for vision test on the East Indian, Great Indian Peninsula and North Western Railways?

(b) Is it a fact that Parcel clerks, Luggage clerks and Booking clerks on the East Indian Railway are classed in C₁ and Goods clerks are classed in B₁ and thereby the Goods clerks have to undergo more severe sight test than their colleagues who are employed as Parcel and Luggage clerks?

(c) What are the reasons for a more severe test for Goods Clerks and not for Parcel, Luggage and Booking Clerks?

(d) What is the function of Store Delivery Clerks and what test they have to undergo?

The Honourable Sir Thomas Stewart: (a) On the North Western and Great Indian Peninsula Railways goods clerks are placed in class C₁ vision test, and on the East Indian Railway in class B₁.

(b) Yes.

(c) I have called for the information required and will place a reply on the table of the House when it is received.

(d) Store delivery clerks are required to distribute stores on the line in accordance with lists supplied them for this purpose. For the purpose of the vision test they are in class C₂.

RENT-FREE QUARTERS FOR GUARDS AND TICKET CHECKING STAFF ON THE EAST INDIAN RAILWAY.

34. Qazi Muhammad Ahmad Kazmi: With reference to the reply to unstarred question No. 499 (d) (ii), dated the 7th April, 1936, laid on the table of this House on the 31st August, 1936, will the Honourable Member for Railways be pleased to state:

(a) whether a second guard employed under the late Oudh and Rohilkund Railway and enjoying the privilege of a rent-free quarter on his transfer as a ticket collector after the amalgamation of that Railway with East Indian Railway is entitled to rent-free accommodation;

(b) whether a ticket collector under the late Oudh and Rohilkund Railway and enjoying the privilege of rent-free accommodation is allowed to continue that privilege on his transfer as a guard or as a travelling ticket examiner;

(c) whether Note 2 to Rule 2 in the State Railway Code in connection with Residential Buildings on State Railways has been amended; if so, what is the amendment; and

(d) whether the above Rule of the State Railway Code is applicable to guards and ticket checking staff or they are governed by any special orders; if so, what are they?

The Honourable Sir Thomas Stewart: (a) Guards employed under the late Oudh and Rohilkund Railway were not entitled to rent-free quarters; they are not, therefore, entitled to this privilege on their transfer as ticket collectors.

(b) Ticket collectors employed under the late Oudh and Rohilkund Railway were not entitled to the privilege of rent-free quarters; they are not, therefore, entitled to this privilege on their transfer as guards or as travelling ticket examiners. They were permitted to occupy railway quarters, when available, free of rent and are eligible for the same privilege even now.

(c) The rules in force on the subject will be found in Chapter XIX of the State Railway Code for the Engineering Department, a copy of which is in the Library of the House.

(d) The rules alluded to in part (c) apply to guards and ticket collectors. The latter enjoy also the special concession mentioned under (b).

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON EMIGRATION.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Wednesday, the 15th March, 1939, the time fixed for receiving nominations for the Standing Committee on Emigration, eight candidates were nominated. As the number of candidates is equal to the number of vacancies, I declare the following non-official Members to be duly elected to serve on the Standing Committee on Emigration, namely:

- (1) Mr. F. E. James,
- (2) Mr. Mohan Lal Saksena,
- (3) Mr. Ram Narayan Singh,
- (4) Mr. C. N. Muthuranga Mudaliar,
- (5) Sir Syed Raza Ali,
- (6) Mr. Muhammad Nauman,
- (7) Mr. M. Ghiasuddin, and
- (8) Mr. Manu Subedar.

THE GENERAL BUDGET—LIST OF DEMANDS—*concl'd.*

SECOND STAGE—*concl'd.*

DEMAND NO. 17—DEPARTMENT OF EDUCATION, HEALTH AND LANDS—*cont'd.*

Indians Overseas—cont'd.

Mr. President (The Honourable Sir Abdur Rahim): The discussion of the Budget will now continue.

Mr. T. S. Avinashilingam Othettiar (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, the cut motion that I had moved yesterday was to bring before the House the matter of Indians overseas. The story of Indians overseas is indeed a very sorrowful one and within the short time that is allowed to me it is rather difficult to make a full statement of their case. I hope, therefore, to place a few salient points before the House.

The Indians overseas may be divided into two categories. Firstly, those who are within the British Empire and, secondly, those who are outside the British Empire. The number of those Indians who have settled in territories which do not come within the British Empire are not very many. We are awaiting with interest the treaty of commerce and navigation which the Government of India are at present negotiating with the United States of America for the improvement of the status and treatment of Indian nationals in that country and I would like to refer only to the disadvantages that they are suffering in a neighbouring country, that is, Afghanistan. I hear that negotiations are going on for the conclusion of a treaty with that country and it behoves the Government that they should keep in mind the improvement of the conditions of Indians in that country. I have taken a few facts from a pamphlet called "Afghanistan's threat

to India's trade" and I would like to put before the House a few points that have been mentioned in that pamphlet. We are told that Indian traders and visitors to Afghanistan have to report their whereabouts, constantly, to the police and are allowed to stay for 15 days only. Should anyone desire to prolong his stay, he has to obtain special permission from the Foreign Minister. No Indian can acquire any immovable property in Afghanistan and, for the first time in its history, this restriction has been imposed. Those intending to make a long stay for business purposes have to take a special licence and an Indian trader intending to leave Afghanistan has to find an Afghan surety to vouch for the fact that he does not owe any debt in the country. Unless this is done he is not allowed to leave. Civil suits brought against Indian merchants, based on oral evidence, result in decrees being passed against them. Indian traders who owe money are put in prison for an indefinite period and are not allowed to leave it until they have paid off their debts. In this connection it is interesting to recall that various Afghan nationals owe millions of rupees to Indian subjects. The Indians are utterly helpless to realise their debts and the Government of India have so far failed to extend a helping hand to them.

Mr. President (The Honourable Sir Abdur Rahim): Does this refer to Indians overseas?

Mr. T. S. Avinashilingam Chettiar: That phrase should not be interpreted narrowly, Sir. It means Indians abroad.

Mr. President (The Honourable Sir Abdur Rahim): This is a cut motion in respect of the demand relating to the Department of Education, Health and Lands.

Sir Girja Shankar Bajpai (Secretary, Department of Education, Health and Lands): Sir, I should like to submit for your consideration, not that I wish to stifle discussion in any thing, strictly speaking only Indians within the British Empire come within the purview of the Department of Education, Health and Lands.

Mr. President (The Honourable Sir Abdur Rahim): There will perhaps be other opportunities for discussing the position of Indians in Afghanistan. The Chair does not think this subject comes within the cut motion.

Mr. T. S. Avinashilingam Chettiar: The Secretary for the External Affairs Department is here and he can listen to my remarks and reply.

Mr. President (The Honourable Sir Abdur Rahim): Only if the Secretary for the External Affairs Department is willing to do so.

Sir Aubrey Metcalfe (Secretary, External Affairs Department): I am perfectly willing to listen to the Honourable Member.

Mr. T. S. Avinashilingam Chettiar: And reply. I hope the Honourable Member will have the courtesy to reply to my remarks.

The Afghan nationals, visiting this country have not got any such restrictions put by the Government of India. I do suggest that the Government of India should take up the matter in the new treaty which they are negotiating with the Government of Afghanistan.

[Mr. T. S. Avinashilingam Chettiar.]

I now come to the matter of Indians settled in the different parts of the British Empire. Easily the worst part of the Empire, in which Indians get the worst treatment, is South Africa. The tale of Indians in South Africa is the most woeful tale of all Indians settled abroad. The number of Indians settled in South Africa is nearly 2½ lakhs and most of them are in Natal. The other portions of the Empire where Indians are settled are Ceylon where there are 6½ lakhs of Indians and in British Malaya where also there are about 6½ lakhs. The position of Indians in South Africa has been summed up in a small paragraph by the "Indian Year Book" published by the Times of India Press. In the Year Book for 1938-39, page 841, it is stated:

"Indians enjoy both the political and municipal franchise only in the Cape Province. In the remaining provinces they are not enfranchised. They are subjected to differential treatment in the matter of trading licenses, especially in the Transvaal. Their immigration into the Union is barred and severe restrictions exist on inter-provincial migration. In the Transvaal they are not allowed to acquire immovable property outside locations and the recent Asiatic Land Tenure legislation has closed certain loopholes which existed in the Gold Law of 1908."

In fact, in spite of the Gentlemen's agreement which took place from time to time, in spite of the assurance which the Government of the Union of South Africa have given from time to time, the treatment of Indians in South Africa has been one long breach of promises on their part. In fact, in 1927, in the Cape Town Agreement of 1927, which was called a Gentlemen's Agreement, they have made a categorical assurance in this respect. I read the relevant clause:

"The Union Government firmly believes in and adheres to the principle that it is the duty of every civilized Government to devise ways and means of taking all possible steps for the uplifting of every section of their permanent population to the full extent of their capacity and accept the view that in the provision of educational and other facilities the considerable number of Indians who will remain part of the permanent population should not be allowed to lag behind other sections of the people."

This was the Gentlemen's Agreement which they themselves enunciated and promised under the Cape Town Agreement of 1927. After that many Bills were passed, quite at variance with the terms of this agreement and some of them have been detailed by my Honourable friend, Seth Govind Das, in his report to the Indian National Congress. They are the Licensing Ordinance of Natal and Transvaal, the Liquor Act of 1928, the Transvaal Asiatic Tenure Act, the operations of the Slum Act, the Marketing Act, the denial of a voice to Indian planters in the legislation concerning sugar industry and others. I do not like to narrate here in detail all the Bills that have been passed and the Bills that were introduced, and later on withdrawn, I mean the Bills about employment and marriage and so on, for there is no proposal now for these Bills being pushed through the Union legislature. I would like to put before the House a matter which of late has been troubling this House as well as outside, namely, the matter of segregation of Indians in South Africa. This has been the subject of a short notice question in this House and that refers to the statement of the Minister of the Interior and, it was alleged, that Mr. Stuttaford, the Minister of the Interior in the Government of the Union of South Africa, gave an undertaking concerning the proposed legislation to empower the Registrar of Servitude to prohibit lease of property, sale to and occupation by Asiatics free of charge if 60 per cent. of property owners wished that such prohibition against Indians

should be enforced. This is the last and the bitterest thing that has come about in recent years. The Honourable the Secretary for the Department of Education, Health and Lands said, that he was in touch with the Agent General in this matter and I hope, Sir, that he will today give us some information about this matter. The position of Indians in South Africa has been getting worse daily. In a letter which Mr. Bhawani Dayal Sanyasi wrote about the condition of Indians in South Africa, he says that it is assuming alarming proportions, and the intention to enact the segregation law has further deteriorated the condition there. At a meeting they held they passed a Resolution saying:

"The meeting express its deep concern at the report that the Minister for the Interior has under consideration the introduction of a scheme of segregation for the whole of the Union by imposing of servitudes in title deeds in respect of occupation and ownership of residential properties by Indians and by demarcation of areas by local authorities for trade, and declared that the scheme is in direct violation of the Cape Town Agreement both in letter and spirit, and is, therefore, wholly unacceptable."

I hope, Sir, the Government will take up the matter and do something and take stronger steps than they have done hitherto to see that this latest crime is not perpetrated upon the innocent Indians settled in South Africa.

I will now refer to Ceylon. Ceylon is somewhat near Madras and most of the people settled in Ceylon come from Madras and as such we, who come from South India, have to a certain extent some personal knowledge of what is happening there. To detail all that the Indians have been suffering in Ceylon is indeed a very difficult job. A barrier is created against Indians aspiring to enter the Ceylon Civil Service, although India has so far kept her borders wide open to the Ceylonese. I know there are Ceylonese nationals now serving in the Indian Civil Service in this country, but in spite of that this barrier has been made against Indians there. The Donoughmore reformed constitution of 1929 granted universal adult franchise but not to Indians whose rights are hedged in with restrictions and, practically, 75 per cent. or even more Indians, permanently settled in Ceylon, are left without a franchise. Medical degrees and diplomas granted by the Indian universities are not recognised in Ceylon with the avowed object of shutting out Indians aspiring either to enter the Government medical service or set up private practice. The Ceylon State Council adopted a Bill known as the "Judgment Debtors Relief Ordinance". The underlying motive was to deal an effective blow on the Indian investors and financiers who had sunk large capital in building up the economic structure of the island. In 1932, the Ceylon Income-tax Ordinance came into force. Certain sections of this Ordinance operate harshly on the bulk of Indian traders and capitalists. I should like to refer, in the end, to one matter which has been agitating even this House lately and that is about the Village Community Ordinance. I should like to read a few lines from the "Review of Important Events relating to or affecting Indians in different parts of the British Empire during the year 1937-38":

"The Ordinance of 1924 did not apply to Europeans, Burghers and Indian estate labourers. The amending Bill extended the franchise, and with it the responsibility to pay tax, to Europeans and Burghers, but maintained the exclusion of Indian estate labourers. This proposal involved racial discrimination against Indian estate labourers. The Indian community was opposed to the proposed legislation and the Government of India made representations to the Ceylon Government to the effect that any differentiation between Burghers, Europeans and Indians was undesirable as

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it involved racial discrimination and that nothing should be done which would in any way disturb the friendly relations that have existed between the two countries. The Government of Ceylon then amended the Bill so as to extend the franchise to all persons owning not less than five acres of land in a village area on which land tax is payable. This proposal would exclude practically the whole Indian estate community since the Indian estate labourers have little opportunity of acquiring land to the extent of five acres and the discrimination against Indian estate labourers would thus remain."

It would remain, in fact, though not in word. And that has been the result of all the representations that have been made by the Government of India.

Sir, I should not like again to refer to the matter of Kenya. I do not like to refer again to the matter of Malaya which is pending decision with the Government of India. I would like to say just a few words about Fiji about which also matters are pending. The matter of Fiji is one of land tenure. Indians settled in Fiji have taken lands as leases from people belonging to Fiji itself and those are coming for renewal very shortly, within the course of a year or two. There has been, of late, an attempt to oust these leaseholders though they have been held for over a generation, for 25 or 30 years; and if they are evicted they will become landless labourers. They will have no occupation and they will become helpless.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. T. S. Avinashilingam Chettiar: The Government of India said that they have taken up the question and I hope they will see that a conclusion favourable to Indians is arrived at soon.

Sir, I would like to close only with one suggestion. In the matter of Indians abroad the responsibility of the Government of India has been very much increased latterly by the passing of the Income-tax Amending Act, by which they have sought to tax the income of Indians arising abroad also. And I should like also to say that in the matter of protecting Indian interests abroad we, on this side of the House, shall be always willing to co-operate with them in whatever steps they may take. And I would remind them about Zanzibar where they had agreed for lesser terms, but the Congress came in and joined hands with the Indians there, and they were greatly instrumental in gaining better terms which the Zanzibar Indians got later. And I can assure them that whatever differences we may have with the Government of India in other matters, in this matter of protecting Indians abroad we shall give this Government whatever help we can give them and strengthen their hands in their fight with other Dominions and with the British Government if necessary. I hope, Sir, they will take up the matter with greater earnestness and with greater strength and will really be able to get something for the forlorn Indians settled abroad.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Department of Education, Health and Lands' be reduced by Rs. 100."

I must draw the attention of the House to the fact that this motion raises questions relating to Indians living within the British Empire which alone is dealt with by the Department of Education, Health and Lands. Any discussion relating to the condition of Indians living elsewhere, for instance in Afghanistan, will not be in order.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, the question of Indians overseas is a subject which requires a close study of the constitutions in different parts of the dominions under His Majesty's Government. What we really want to impress on Government is, how constitutionally Indians have been debarred from taking part in the normal life of those countries which are parts of His Majesty's dominions. I have no desire to indulge in any question of Afghanistan seriously, and, as the Honourable the President has rightly ruled, it would not be quite relevant. But the Honourable the Mover has made some reference to it which was probably based on some sort of his ignorance of things. In Afghanistan, there has not been any case of ill-treatment to Indians. If there had been any question

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, on a point of order, the Chair ruled just now that the question of Afghanistan does not come within the scope of this cut. The Honourable Member is now referring to Afghanistan as a sort of reply to what the Honourable the Mover said. Will the Chair allow it to be replied to?

Mr. President (The Honourable Sir Abdur Rahim): There can be no reference to Indians in Afghanistan on this motion.

Mr. Muhammad Nauman: I was just pointing out

Mr. President (The Honourable Sir Abdur Rahim): No, that does not come within the scope of this cut.

Mr. Muhammad Nauman: All right, Sir. Then, as regards the position of Indians overseas, my Honourable friend, Mr. Chettiar, has explained what the conditions are in South Africa, Malaya, Ceylon and Fiji. I want to go a little further and point out to the Honourable Member and Secretary in charge that the position in Australia and Canada is also not at all happy. Australia is more or less a continent, and Canada is also a big country. Indians are constitutionally debarred from acquiring any status in Australia. I do not know the definite law of the land, but I was told that by certain legislation six years ago, Indians have been debarred from acquiring property in Australia except those who have been living there for the last 24 or 30 years. As regards Fiji, Mr. Chettiar has explained the position, and I need not refer to it.

I do not know whether I will be allowed to refer to the position of Indians in the United States of America, Germany or France.

Mr. President (The Honourable Sir Abdur Rahim): No. That does not come within the Department of Education, Health and Lands. Is that not so?

Sir Girja Shankar Bajpai: That is correct, Sir.

Mr. Muhammad Nauman: My friend suggests that I might refer to Burma. I do not suppose there is any constitutional disability attaching to Indians in Burma: they have got absolutely equal rights there; the trouble there is due to the fact that their numbers are not equal to those of the Burmese. We cannot condemn this Government on that unless it can be

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shown that in the recent riots our Government did not take all necessary precautions to safeguard Indian interests. I think they have done their part. In the recent debate, the Education, Health and Lands Department tried to convince us that they are alive to the situation and they are doing their best under the circumstances. I want particularly to bring to the notice of the House the constitutional disabilities of Indians in certain parts of the British dominions like those in Transvaal. That question has to be fought; and in the negotiations that are pending it must be settled that Indians who have been living in other British dominions for a very long time should get the same status and the same constitutional rights as the white men acquire. From the reports of Seth Govind Das it is evident that in certain places they are not allowed to acquire rights of purchasing immovable property: that is something degrading and disgraceful, because Africans and Malayans have no restrictions against them when they come out here: they can become naturalised subjects of this country and there is no disability against them of any kind. This Government should make representations to His Majesty's Government from time to time and make it clear that unless we get the same treatment in dominions as they give to Englishmen and others who go and settle there, we will be compelled to legislate in this country to debar their nationals, either by retaliation on commercial lines or by legislation to the effect that they will not be allowed to land in this country. The exact form of retaliation is a matter of detail which I do not desire to discuss now. My only suggestion is that the question of constitutional disabilities should be taken up in all other parts of the Empire like Malaya, Kenya, South Africa, etc. It must be made clear to His Majesty's Government that unless things are done within a certain limit of time, we will be taking such constitutional action as we can by way of retaliation and legislation. I had no desire to speak at this stage but for certain remarks of the Member on Afghanistan to which I was given no chance to reply. Sir Raza Ali from my Party will be able to give more information on this subject if chance is given to him especially as regards South Africa, and he will say how Indians are treated there: he has personal knowledge and experience. I only submit that the Government should be alive to the fact that our Indian nationals should be protected in every British dominion and other countries, and they should not be allowed to be degraded, insulted and constitutionally debarred from any such rights and privileges as are given to the white men and other nationals. With these remarks, I take my seat.

Mr. Lalchand Navalrai: Sir, the motion relates to Indians overseas. On the radio the announcer sometimes tells us that he is going to relay it over from London and then he says "Over to London": similarly, I also say now "Over to overseas Indians."

The point about the condition of Indians overseas is a very vital one, and nobody can deny that. I must give credit to the Honourable the Education Secretary who said, in his reply the other day, that he recognises the difficulties and he is doing all he can within the scope of the authority he possesses at present. From the public point of view, this is a burning question. It is recognised in England and in other countries that when their nationals go out, those countries always watch their welfare and go to their help and they cannot ignore anything done with regard to them. Now, so far as India is concerned, I submit that it hits our Indians outside, especially in self-respect. Everybody has got

self-respect, and if Indians are considered inferior, it is the duty of the House, as representatives of our fellow countrymen outside, to see that the grievances of our countrymen outside are redressed. We cannot conceal the fact that at present we have no direct weapon in our hands to make those Governments in South Africa and elsewhere to come to their senses. But it cannot be denied that, constituted as we are, we are in the British Empire. The Britishers say that they are our guardians, though we have become major. (Interruption.) I submit that it is the responsibility of the British Government to see that our admitted difficulties are removed. Our representations, either individually or collectively, to the British Government won't do. It is through the Government of India that the British Government moves, and so the question is how far the Government of India have taken up that responsibility and done things for the welfare and in the interests of our fellow countrymen overseas. That is the main question.

The other day, the Honourable the Education Secretary told us that they have been doing all they can do in this direction. I have a great regard for him, but he will excuse me if I say that he cannot really plead that they have been doing what is necessary and what they can do. There may be a difference of opinion on many questions between the Government of India and the British Government, and my Honourable friend cannot say that they are always unable to get things done. There are ways of getting the British Government to come to the help of the Indian Government. It is not by making petitions or writing correspondence, or even lodging protests—all that will not be sufficient. I submit that there ought to be put on the British Government a strong pressure. I do not blame anybody—whether he be an Indian or an European in charge, but as regards questions relating to Indians and Europeans, the British Government has to be moved not merely by protests or petitions or communications, but a strong attitude should be taken by the Government of India. They must back it on the ground that, firstly, it is their opinion, and secondly, wherever the public opinion coincides with the opinion of the Government of India, I think they should go to any length to get their request complied with by the British Government. I know there are difficulties in the way, I realise them, but what are those difficulties due to? It is the inferiority complex that they attach to colour. It is not that Indians have a bad colour. On the contrary, I do not mean any insult, when I say that the white skin has got so many spots which necessitates their going round to sun baths and resort to nudity cults for removing those spots, and changing their white skin to a better colour. Therefore, to say that there is any difference between brown people and the white people and on that account Indians should be treated with contempt or should not be helped is unreasonable, and I would even say that it is not talking sense. What we want is that we should have equal rights and privileges for our nationals outside. We do not want any preference. We want that what an European would get there the Indian also must. It is plain that distinctions are maintained between Indians and Europeans over there in South Africa, Kenya, Fiji and other places. It is, therefore, the duty of the Government of India to press for those being removed. I do grant that the Government of India are making an attempt in that direction, but it is very slow. The Government machinery is generally said to move very slowly and they are keeping up that tradition. But that should not be. This is a question which not merely affects but causes injury to our Indians there. I submit that steps should be taken in a proper manner to bring pressure

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on the British Government to come to our help. So far as equal treatment is concerned, I think there are many difficulties and many questions have arisen from time to time. In the first place, I say that the Governments there should feel grateful to Indians for supplying Indian labour to improve their countries. They should not be ungrateful. They should give equal treatment to those men who brought them up as it were into life or into civilisation. I would therefore submit that what is required is equal treatment. The questions are many and difficult.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Mr. Lalchand Navalrai: All right, Sir. I will finish soon. There are two questions which are being considered by the Government of India. One is in regard to rates of pay of Indians in the public services there. Several questions have been put on this subject.

Sir Girja Shankar Bajpai: Where?

Mr. Lalchand Navalrai: I will tell you. In an answer given to Mr. Abdul Qaiyum on the 14th March, 1938, it was admitted that there are differences as to the rates of pay in Fiji. Why should there be this difference? The Indian is as intelligent, if not more, as a European. Then, with regard to the question of Highlands, there is a pamphlet in my hand referring to the difficulties and discrimination, apparently published by the Government. There the question is discussed on page 4.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Lalchand Navalrai: Then, Sir, I will only say that on this and other questions Government should be stronger than what they have been in the past.

Mr. M. Thirumala Rao (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rura): I rise to support the cut motion moved by my friend. Unfortunately the scope of discussion has been narrowed down by the terms of the motion. Still the sins of commission and omission on the part of the Government of India, as a part of the British Empire, are too long and too varied to be compressed into the short space of a 15 minutes speech. Nearly 25 lakhs of Indians have gone abroad and the majority of them have settled down in the British Empire. Although this motion has become conventional and customary and the suggestions of the Government of India in regard to redressing the grievances of Indians do not obtain the approval by the Colonial Secretary of State in England, still we take this opportunity of ventilating their grievances and placing on record their woeful tale once again. About the racial problems obtaining in the various Colonies and Dominions and possessions of the British Empire, I should lay emphasis on a society formed in London called the Friends' House, to fight for the elementary rights of the oppressed peoples all over the world. They have said with reference to Africa:

‘The white rulers maintain their ascendancy by laws designed to control the movements of the natives, their residence amongst Europeans, their acquisition of land and the extent of their participation in the economic life of the country.’

‘ If you substitute the word ‘Indian’ for the word ‘native’ here, then all that is said here applies with equal force to Indians all over the world. Before the advent of the British, the ancient history of India has a glorious record of maritime relations and commercial relations with Africa. It is only after the arrival of these estimable Britishers, who have come upon this earth as empire builders, that the fate of Indians has been reversed and they have been reduced to the position of hewers of wood and drawers of water. They have been exploited as coolies to build up this empire, to clear vast jungle areas, to build up long lines of railway in Africa, and only to be told in the end that they are no more than coolies and that they can get no better status. It is a racial problem that is facing the Government of India. This cannot be solved until the Indian nation has got an autonomous Government completely free of any connection whatsoever with the British Empire. Therefore, Sir, we are not very much hopeful that either the Secretary sitting opposite or his boss sitting elsewhere can do much for the amelioration of the conditions of the Indians. I do not want to go into all the disabilities which have been suffered. I shall come nearer home and refer to Burma and Ceylon. I do not want to say much about Burma. Much has been talked about it already but I shall deal with Ceylon. Ceylon is a small country but in tradition, culture and history it is like the rest of India, though it is severed from India while enjoying all the benefits of its connection with India, it is now trying to oust Indians, eight lakhs of them, from there. Most of the tea plantations there have been developed by Indian labour. Various disabilities with regard to the Village Communities Bill have been imposed and other rights have been denied to Indians and the Ceylonese have been aggressively nationalistic. The British Government are not able to do anything. On the other hand the Colonial Secretary has given his assent to the Bill recently. With regard to trade relations, in reply to one of the questions put from this side, it was said that the textile trade of India with Ceylon is dwindling. This is the result of an arrangement entered into by Britain with Japan. They want to have their trade relations and political relations with the rest of the world at the cost of India because we are helpless. With regard to the import of rice, the Ceylon Government insist that rice should be fumigated before import. When Mr. Santhanam moves his motion about copra, you will see how Ceylon has been growing fat by dumping large quantities of its copra into India at a cheaper cost to the detriment of the Indian producer. They have always had trade advantages. Still, Ceylon persists in denying political rights to Indians settled there.

With regard to Malaya, there has been a large amount of literature recently and the Malayan delegation was at the headquarters of the Government of India also. I say that we are tinkering with the problem and not dealing with the main issues. It is not a question of wage alone. It is a question of political privileges and racial equality. Their culture and tradition has been changed beyond recognition. There is no provision for teaching them their vernacular languages. We have seen some of the repatriated Indians who have come from there. They can neither speak their mother tongue nor English and they have become a sort of hybrid, belonging neither to this country nor to that country. It is, therefore, up to the Government of India to see that their education is properly looked after. When the question of constitutional reform is to be settled there, I say that Indians should enjoy an equal measure of power in the State. With regard to the services, the people born there are given preference, but there are

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several others who are settled there who ought to be granted equal treatment and equal opportunities of service, because their interests are indissolubly linked with the interests of the State.

Coming to British Guiana, there has been a wave of anti-Indian feeling aroused. The Europeans cannot tolerate Indians attaining any status of equality with them and it is up to the Government of India to use their limited powers so as to see that such treatment is not given to them. Now, Sir, you will see that in these colonies, where Indians have acquired some rights and where they have developed these Colonies, they are now being treated harshly. The British Prime Minister has announced with his authority of office that at least ten thousand square miles of good land will be set apart in British Guiana for the Jews. So also you have seen the recent protests headed by no less a personage than His Highness the Aga Khan that the interests of Indians in Tanganyika are going to be adversely affected by this new move of the British Government to settle down a large number of Jews there. It means that this is essentially a racial problem. Here is a case where one section of the white race is persecuted by another section of the white race and British Imperialism is anxious to see that their own cousins are comfortably settled in these areas, at the cost of the Indians who have gone and settled down there.

With regard to Canada and Australia and other places and Dominions in the British Empire, over which the British Prime Minister and the British Government do not seem to have much constitutional control, these countries have been treating Indians as outcastes. In fact, Indians have been outcastes of the British Empire and cannot enter Australia for purposes of trade, agriculture or any other purpose, and they cannot go down to Canada and enjoy the rights and privileges of British citizenship. Even a personage no less than Dr. Rabindra Nath Tagore had to refuse to go to Canada because of the discriminating and humiliating treatment meted out to Indians as soon as they land on the shores of Canada. Let alone the Colonies, what about England? Still, they have got that racial consciousness, that superiority complex, to consider themselves as a heaven-born race and the other coloured races of the world are born to slave for them. Recently, we read that Indians are denied admission to civil aviation training centres on account of their colour bar. We have read in the papers that Indians were denied admission to certain hotels in Edinburgh and London because they were dark-coloured people; and if you have travelled by the P. & O. boats you must have seen how Indians are not treated properly so that people who value their self-respect prefer to travel by the Italian boats or some other boats. When you see all these things they may not be strictly within the purview or the domain of the Secretary of the Department of Education and Health to redress these grievances, but still we say that unless and until this country comes into its own and until the sons of the soil command that respect which is due to the Indian nation you cannot expect that all these grievances can be redressed. Sir, with these few words I support the motion.

Mr. M. Ghiasuddin (Punjab: Landholders): Mr. President, the tale of Indians overseas is the same old tale of woes. The history of almost all the colonies shows that those colonies were opened up not with the help of white labour, because white labour could not be employed on account of climatic conditions which were unsuitable for them there, but at the

request of the white people settled in those countries, Indians were sent there to open up the country for them. Take the case of Australia. Only forty or fifty years ago it was impossible for any white man to penetrate into the interior of Australia. So Indian labour had to be sent over there and the Indian Government of that day miserably failed in their duty by sending out that labour without having any sort of guarantee how those people would be treated and how their affairs would be looked after. So Indians went there at their own cost and they opened the country. Many Indian lives were lost by their going into the interior. There were no water arrangements and many people died and much Indian capital was lost there,—and after a great many difficulties and hardships that country was opened up for the white people. As soon as the country was opened up, the so-called “white Australia” policy was started, and the result was that Indians were forbidden in that country, and those who were already there had to undergo a certain amount of hardship.

Now, what is the position of Indians in Australia today? No Indians are allowed to remain there for more than a year. I am speaking subject to correction. I think that is the limit. Indians can only go there as tourists. I cannot see why it should be so. Sir, recently I was one of the delegation which visited Australia, and we discussed this question with the leaders of opinion there; and all I can tell the House is that they have absolutely no satisfactory answer to give. There are parts in Australia which are uninhabitable from the white man's point of view. The climate is too hot and the white people can never colonise it,—that is, parts of Queensland and parts of northern Australia—and at the time when there was a European crisis—not the latest one, I don't know how many crises there will be—we are more or less used to crises in these days—at the time when that crisis was on, the Australians were very very nervous. They are only a seven million people in such a vast territory. How were they going to defend it, they said, if Japan invaded their country, and so in a moment every one of them, educated as well as uneducated,—one could see it from their faces,—was trembling in his shoes, literally, and I was there, at that time. So we had an opportunity to tell them, “well, look here, you are so much afraid of Japan. Why not try to increase the population of your country? And the only way is to ask us to go and settle on the west coast, and then you can ask us to come and defend you against Japan”—and some of them did realize their mistake. So we asked them—what is the matter? They said, “we have personally no objection to Indians going there”, but there was the same old answer, “we shall try to educate public opinion about that matter”. Sir, I do not know how long they will take to educate public opinion; I suppose Japan or somebody else will educate their public opinion. And so we asked them, “what objections have you got to Indians going there?” They said, “cheap labour”. Well, we said, “you can pass laws about minimum wages for labour”. Then some said, “mixed marriages”. Well, that is a ticklish question. We could not give a guarantee on behalf of the Australian fair sex that there won't be any mixed marriages, but that is the sort of arguments brought forward.

Now, there are a few mosques in Australia. When we were there, the Imam of one of those mosques died and the Indian community there wanted to bring in another man to take his place. There was a

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lengthy correspondence going on between the Premier of Bengal and the Premier of Western Australia that they should allow one single man to take the Imam's place. Now, all sorts of obstacles were being placed in getting one Indian as the Imam of that mosque. It looked as though the entrance of one Indian will doom the whole white Australian policy and it will corrupt all the labour laws and the purity of the race will be gone for ever beyond repair. And yet, on the other hand, what do we see? Our benign Government is giving all the facilities to the Australians that are possible. The Australian officers are being brought today in the Indian army and there is a regular exchange of officers which is going on. Our Government simply says that they should have sympathy for Indians and allow them to come in but, on the other hand, our Defence Department is giving them the facilities to send their men here to be trained. Is it fair? The least that I can say is that it is most irrational. Why should the Australian officers come here to be trained at our expense? What right have they to go about as lords and masters when our people are not allowed to enter the shores of Australia? What we wanted really was that if they had an objection to Indian labour, they could, at any rate, allow the Indian Companies to open their branches there. They should also allow Indian professional men to practise their professions just as the Australians or the Canadians have a right to walk into New Delhi and have a board "Australian Dentist". Why should not our professional men be allowed to go there and open their business? (A voice: "Because of the colour.") I would rather have the colour of my skin; I am quite proud of it. It is as good as the other. If there was something wrong with the colour of my skin, the white Australian policy would not have been in danger on account of mixed marriages. So, there is something to be said for this colour.

Now, I come to Kenya. The question of the highlands of Kenya has been mooted time and again on the floor of this House and our Government have always patted themselves on the back by saying that they have, at any rate, done something for us. They have said that there is no law which prohibits the Indians from going into Kenya: it is only an executive order. So, it is a little comfort for us to know that we are forbidden there not by any law but only by an executive order. If it was a question of the natives of Kenya and the Indians, I would certainly not press my claims. Of course, the natives of a country should come first. So far as this territory in Africa is concerned, I think it was Lord Passfield, the Colonial Secretary, who said that the interests of the negroes are to come first. I think the Passfield declaration was made in 1928 or 1929 and it is now 1939 and what has been done to safeguard the interests of these poor negroes? I remember the time when the Passfield declaration was made. Huge deputations from Kenya, Tanganyika and other parts visited London, and said that they had been ruined by this declaration and the country was to be given over to the negroes. Yet, even today, the poor negro is being trodden under foot and the white people are ruling over Kenya. I do not think any change has taken place since that declaration was made. Now, I ask how many Europeans are there in Kenya? about 10,000. I do not know how many thousands of square miles are being reserved for these 10,000 white men.

An Honourable Member: 16,000 square miles.

Mr. M. Ghiasuddin: I am sure, there are more Europeans in the town of Calcutta than there are in the whole of Kenya colony and it should be the duty of the Government to see that the rights of the Indians are protected there in the same way as the rights of the Europeans are being protected in this country. In this little bit of reforms that we have got, they have been given the rights of the citizenship and the rights of selling their goods and they have been protected by the constitution. It should have been the duty of the Government of India to see that the rights of Indians are incorporated in those Acts and protected in the same way as the rights of the Europeans are being protected in this country. Furthermore, I would address an appeal to my friends of the European Group, who are conspicuous by their absence.

Mr. J. D. Boyle: No, no.

Mr. M. Ghiasuddin: . . . that they should try to educate the public opinion in their own country. I know it is difficult to educate public opinion and we have had a bitter experience of it. After all, there are 200,000 Europeans in this country and there are only 10,000 Europeans in Kenya. Now, if our nationals are not treated well there for the sake of these 10,000 Europeans, then, however much your rights may be protected here by constitution, if the people of the country get against you and do not buy your goods those constitutional safeguards will do you no good. So, it is in your interest as well as in the interest of fair play that the Europeans living in this country should do something for the Indians in Kenya and try to educate the public opinion in England.

Now, Sir, Australia and Kenya are not the only places where the rights of Indians are being trampled down.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. M. Ghiasuddin: Then, Sir, I resume my seat, hoping that Government would do something in the matter.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, the disabilities that have been narrated in this House and the several disqualifications that have been mentioned prove one thing. They prove that the attitude of these Colonies is one of hostility. My friend, the Leader of the Congress Nationalist Party, yesterday stated that he has been made to realise that England's enemies are the enemies of India but there is no knowing whether England's friends are India's friends or India's enemies. Here is a case not merely of England's friends but England's kith and kin being the enemies of India. Now, Sir, an independent nation, whether it is a Western nation or an Asiatic nation, can enforce the rights of its nationals abroad; and how does it behave where its nationals are concerned? You will find that the first thing that an independent nation does is to send a representation. If that representation is not listened to, it withdraws its financial help. Then, it puts all sorts of blockades, and it sends its army to make the other nation realise the importance of coming to terms with it. Unfortunately, so far as we are concerned, we have certainly made representations, but our representations have not been listened to. Following the sequence of steps, we could certainly have said to our Government,

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if it was a Swaraj Government, to send our armies against that country. But we cannot ask the present Government to do so because it is not we who have the control of the army but it is the British Government and the War Office who have the control and that is one of the reasons why we want to have control over our army. We cannot withdraw any financial help and we cannot put any restrictions so far as their trade is concerned. It is a matter which is very unfortunate and very much to be regretted that there is no co-operation between the several Departments of the Government of India to bring about the salvation of our men who are in the Colonies. An instance has just now been mentioned about the bad treatment of Indians in Australia. How are Australians treated in India? They get all facilities. We learnt just now that they are taken in the army. They get all facilities for being trained and being turned into efficient men. In answer to a question it was said that Australians, Germans and all sorts of foreigners, who are on inimical terms with Indians, are taken in service by Port Trusts. This is a most unfortunate thing and one realises at every step how humiliating it is for an Indian to live without having Swaraj. England and the Colonies form one body and ourselves, that is Indians, also form part of the same body, one brotherhood of Commonwealth of Nations. Today's debate must have made everybody realise, at least it has made me realise, how England and the Colonies form one component part of the same body. What they want to do is to exploit India and say that we are on equal terms, that we get equal rights and equal treatment. But, do we? Certainly not. So England and the Colonies have combined together into one unit to exploit India. They may say: "India and ourselves are one". This reminds me of the story of the tiger and the lamb. The tiger said to the lamb. "You and I are one". When the lamb questioned how it could be, the tiger demonstrated by eating up the lamb with the result that the lamb became one with the tiger in its stomach.

It was said by my Honourable friend, Mr. Lalchand Navalrai, that we must bring pressure on the Government of India. The Government of India means the Secretary of State for India also, because the Secretary of State for India is an integral part of the Government of India. The Government of India Act gives him power of general control and supervision. Section 315 of the Government of India Act says that he shall have general controlling power over the Governor General and the Governor General in Council and all instructions which are given by the Secretary of State for India shall be carried out by the Governor General and the Governor General in Council. Neither the Government of India nor even the Secretary of State for India, even if he wills it, can grant any relief to India. The Secretary of State for India forms part and parcel of the British Cabinet. If he takes any action it can only be as the result of joint consultations and decisions arrived by the British Cabinet. Can you ever imagine that the Secretary of State for the Colonies or the Secretary of State for India or other Ministers of the British Cabinet all of them responsible to the British people, will ever agree to a decision which will in any way take away something from the rights and interests of the Britishers or Europeans in their colonies? It, therefore, comes to this that if there is to be salvation for us, it lies in our own hands. I very much wish that this cut motion was tabled against

the whole Executive Council and not against the Department of Education, Health and Lands. Has this Department of Education, Health and Lands really done everything that is possible? Of course, by the very nature of its position, this department cannot do much. As in other independent countries, this Department of Education, Health and Lands should have derived co-operation and co-ordination from other departments of the Government of India in enforcing India's rights in this particular case,—the treatment of Indians overseas. With the co-operation of the Commerce Department, the Department of Education, Health and Lands can do much. If only the convention of bringing about trade agreements for sanction of this Assembly had been put into effective practice, it would have, to a certain extent, strengthened the hands of the Department of Education, Health and Lands. At the time of the Ottawa Agreement, Sir Joseph Bore promised that the Ottawa Agreement would be placed before this House and its sanction obtained for giving effect to it and that if the House disapproved it, it would be thrown out. But a convention which was then created has been now thrown to the winds. I remember distinctly that in the Simla Session we moved a Resolution that this particular convention should be observed, but that Resolution was not accepted by the Commerce Member on behalf of the Government of India. Then the only thing that remains is the Department of Education, Health and Lands. It remains by itself, alone. This department has not done as much as it ought to. My first charge is that it is not alert. I will quote the very words of the Honourable Member so that there may be no misunderstanding or misapprehension. In reply to a supplementary question, relating to certain resolutions passed by the Indians in Fiji, this is what the Honourable Member said, "that the Resolution has only recently been received and I cannot say that the Government of India have already taken it up with the Colonial office". Now, Sir, reminders should have been issued and the matter should have been treated as urgent. I may give another instance. In answer to another supplementary question of mine relating to the establishment of Boards to advise on matters relating to emigration in Kenya, it was said by the Honourable Member "that unless the Indians in Kenya represented that the understanding is not being observed, there is no question of taking precautionary measures". Well, Sir, when this happens, what is the necessity for taking up precautionary measures? Everybody takes precautionary measures because something of which we have experience is likely to happen again. It cannot be a matter of ignorance or it cannot be a matter of forgetfulness on the part of the Honourable Member that the Colonies always make certain professions which are never observed in practice. When England was in great difficulties, she also made a lot of professions.

In 1921, there was an Imperial War Conference which made very nice professions. The resolution passed then was:

"There is an incongruity between the position of India as an equal member of the British Empire and the existence of disabilities upon British Indians lawfully domiciled in some parts of the Empire, and this Conference is of opinion that in the interests of solidarity of the British Commonwealth it is desirable that the rights of such Indians to citizenship should be recognised."

These professions were never carried out.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Govind V. Deshmukh: Now, about the appointment of the Agent. This particular Government is very slow in appointing Agents. My Honourable friend, Mr. Lalchand Navalrai, may very much desire to have Agents appointed, but in reply to a question the Honourable Member stated that Agents cannot be appointed till the Secretary of State for India is approached and the necessity justified. There again who is to justify? We are to justify, but whether there is a justifiable necessity or not the Secretary of State for India has to decide. How can you expect any relief from the Government of India? These are so complicated questions that our case really becomes one of despair. Therefore, it follows that if we cannot, under the present form of Government, follow up our representations, which are not listened to, by withdrawal of financial help or any other sanctions or withdrawal of commercial concessions or by sending an army, all that remains for us is to rely on ourselves, which means

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Govind V. Deshmukh: which means that we must have Swaraj.

Mr. Kuladhar Ohalha (Assam Valley: Non-Muhammadan): Sir, British Indians seem to be pariahs within the British Empire and in the Colonies they seem to be sub-human. If we go to South Africa, whether it is Sir Raza Ali or Seth Govind Das, he is told not to go up the lift. If we go to board a tram or a railway carriage, we are told that we must go up in special carriages and not travel with the whites. If we go to some other parts we are told that we cannot occupy certain lands or live in certain areas. If we go to South Africa we find the epidemic of racial discrimination raging very severely now. We are told that we cannot occupy particular lands and that the Minister of the Interior is framing rules and laws that certain conditions must be imposed on us in the matter of occupation of certain lands for residential and other purposes, and we may be segregated for trade purposes in certain areas if 60 per cent. of those people will agree to that kind of legislation. If we go to Zanzibar we find that the Sultan, under pressure from the British Resident, issues orders in order to suppress us; and without the co-operation of the Congress we would have been nowhere and Indians in Zanzibar would have gone down.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after Lunch.

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. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. Kuladhar Ohalha: Sir, when the House rose, I was saying that there is an epidemic of racial and discriminatory legislation raging in South Africa. They are going to impose conditions for residential and occupational purposes and for buying lands: they are going to be segregated in all places. We have only 70,000 persons in Natal and they are holding only 100,000 to 120,000 acres out of a total acreage of 11,000,000 in that

province : it works out to only 1 in 100 acres for Indians. Does that justify such legislation to be enacted by the Minister for the Interior? There was no justification for this unheard of legislation. We are not aware whether the Secretary for Education has made any representation against this discriminatory legislation. We want that the Government of India should stand up and see that our national pride and our national feeling is respected. It is not sufficient to say that the Government have made representations and that they were unsuccessful. They should say that if this sort of thing goes on and continues it will not be tolerated by us and that it will react as a sort of boomerang and ruin the British Empire and will create a revolt in India. Sir, I find that the Sultan of Zanzibar also has been issuing discriminatory legislation and orders from 1933 to 1935, apparently under the instigation of the British Resident there. Can you pretend that he has no hand in these discriminatory measures? We know what happened to the clove growers and how they have been able to come up again through the help of the Congress, though perhaps not to the extent we desired. If we come to Kenya we find discriminatory legislation has been undertaken there from time to time; and in spite of Lord Elgin's assurances, that no discrimination will be shown in the settlement of lands in the Highlands, except perhaps that Indians may not get enough lands, what do we find now? The position of the Indians has been deteriorating until 1915, and though the Government of India reserved the right to reopen the question they could not improve it at all. Now, in February 1938, two Orders in Council have been passed practically shutting Indians out of the Highlands of Kenya; and the Highland Board has been created so that there will be no chance for any Indian ever to secure lands in these Highlands. If the Secretary for Education stands up for these things, we do not know what will happen. It seems there is reaction even in remote Assam in Shillong: certain restrictions used to exist, up to 1926, by which lands in a locality called Kendistrace could not be settled to men in the plains unless certain conditions were complied with. Sir, unless these grievances are remedied, I fear that the result will only be disintegration and ruin of the British Empire sooner or later, unless they treat our nationals properly.

I have talked of instances nearer home, but if we go to Fiji or British Guiana or Trinidad we find even worse things. I shall take up the case of Fiji first. We have there about 100,000 Indians and most of them are agriculturists. A committee was formed, towards the end of 1937, under the Presidency of Dr. McGusty. They nominated two Indians, not from the elected members of the Fiji Legislative Assembly, but from outside, and the elected members were passed over, and these gentlemen could not come to any decision whatever or any finding. We find before this, that the Ordinance No. 33 of 1933 required that every Indian landing there shall deposit £ 50 which will remain in the colonial treasury for three years; and if he did not behave properly then that amount may be forfeited. There is another amendment to this legislation—Ordinance No. 1 of 1938 which added further conditions to the stay of Indians there. You will be surprised to hear these conditions. Nowhere in the British Empire are such conditions imposed. The first condition is like this. They have a sort of visiting officer to impose certain conditions on the stay of Indians in that colony. Under the new amendment these new conditions are imposed:

"A visiting officer may also refuse to allow any person to land and remain in the Colony unless such person shall, in addition to observing any condition which may be imposed under the foregoing provisions of this section, have obtained from

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the Commissioner of Police a permit to land and remain in the Colony, which shall be in such form, for such period and subject to such conditions as the Commissioner of Police may think fit.

Any person who, having been required by the visiting officer to obtain a permit as aforesaid, fails to do so and remains in the Colony or who remains in the Colony after the expiration of the period allowed in the permit or who commits a breach of or fails to comply with any of the conditions therein contained, may be deported by the Governor from the Colony to the place whence he came and thereupon the provisions of section 10 hereof shall '*mutatis mutandis*' apply accordingly."

A situation like this does not obtain in any other Colony of the British Empire. There are regulations concerning the furnishing of deposits by intending Indian immigrants in the case of Ceylon, Kenya and other Colonies, but nowhere in the Colonial Empire of Great Britain do the draconian laws of Fiji obtain, reducing Indians to the position of aliens. I do not know if our Government ever stood up for abolishing these conditions. We are treated really as aliens, within the British Empire. Nowhere have such conditions been imposed. If our Government and if our Secretary had been as strong as possible, if he had advocated the cause of the Indians in the manner which this House desires him to do, things might have been better. I do not know whether he has done so or not, but I trust he will do it yet.

Almost the same condition prevails in British Guiana and Trinidad, and I shall tell you some of the disabilities from which they suffer. Whereas, among non-Indians, 50 per cent. are illegitimate, among the Indians it is 88 per cent. illegitimate. The wives of our fellow-brethren are taken away by half white and half black people there. We have been not only exploited as labourers but our social and moral culture has been exploited to a degree that cannot be imagined anywhere else except in the British Empire, and the callousness of our Government cannot be conceived. In fact, although for the last 100 years the Government are aware of these conditions, they have not done anything to legitimatise those marriages. The legitimacy of even Lord Sinha has not yet been recognised by the House of Lords—though it is outside the point at issue. We have been suffering for the last 100 years from a bar sinister, and our Government have not done anything to defend them and see that they are declared legitimate. As a result of this, they lose the property and the escheat goes to the Government. If that is the condition, why should not the Government stand up at once and say that there should be legislation enacted immediately.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Kuladhar Chaliha: We hear that legislation is pending, but it has not yet got the approval of the Attorney General. May we expect the Education Secretary to do his best to secure the rights of our nationals there? I submit that there should be a little more expeditiousness. There is no use saying that they have written to the Secretary of State or the Colonial Secretary and that they have failed. Times are changing. Indians are very sensitive and they feel hurt and a slight swing one way or the other may inflame the people. In such a condition it is better that the Honourable the Secretary for Education should inform His Majesty's Government

that such a state of things cannot continue, and that our feelings are running high. As regards British Guiana and Trinidad we must have an Agent General who will look after the interests of our colonials and as far as possible he should see that their religious rights also are observed. In passing I may mention that Indians are not allowed to be cremated there. They have imposed a condition that there must be a crematorium on the western lines; otherwise, they would not be allowed to be cremated.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Kuladhar Chaliha: With these words, I support the motion.

Mr. N. M. Joshi (Nominated Non-Official): I would like on this occasion to take a brief review of the position of Indians overseas. The Indians who have gone abroad and settled there may be divided into three classes. First, there are the labourers whose parents and forefathers were taken abroad as indentured labourers. There is also another class of labourers who still go to Malaya, Ceylon and other places to which emigration is at present allowed. In some of the Colonies immigration of labour is now prohibited and there is no further emigration of labourers to those Colonies. Besides these two classes of labourers there are the Indian merchants and Indian money-lenders who are also found in most of these Colonies. The common characteristic of most of our people there is that they are lacking in education. The working classes are, of course, uneducated, but even the merchants and the money-lending class, who go there, are not as well educated as we would like these classes to be. Then they are not properly organised. Not only the workers on plantations in Ceylon, Malaya and other colonies are not organised, but even the merchants and the money-lending class are not properly organised. Again, it must be admitted that the standard of life of our people in those Colonies is not adequate, is not, in any case, as high as the standard of life of other immigrants in those Colonies. Moreover, although our people have gone to those Colonies for several generations, in some cases, they have not assimilated themselves socially and in other matters with the people who inhabit those Colonies and Dominions.

Our people in those Colonies and Dominions have many grievances. In the case of the labourers they have generally the same grievances which the labourers in India have as regards wages, hours of work and in other matters, besides, of course, having the social and political disadvantages which the Indian merchantile class and money-lending class in those parts also have to suffer. But it must be said that the working classes who go to the Colonies and the Dominions are not unwanted people. Even in South Africa and other places, where immigration has stopped, there is no effort to drive out the working classes from those Dominions and Colonies. They are wanted there. Now, in the case of other classes, the merchants and the money-lending class, their grievance is mainly social and political. Socially they are looked down upon, and politically they have not got the same rights as the white people have got. In order to secure the removal of these grievances, both of the working classes who are there and of the other classes, the Government of India have tried the method of representation. To some extent, their efforts have

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succeeded, but mere representations in the present state of the world do not succeed. It is necessary that the Government of India should be able to possess the power to use stronger measures. Suggestions have been made that Honourable Members in charge of the Department should resign, but unfortunately we do not get Members who will resign. I have no doubt that if one or two Members of the Executive Council resign sometimes on important issues connected with the welfare of our countrymen abroad, we may secure some improvement. But unfortunately we do not get Members who will resign. Then, we have also suggested that the Government of India should retaliate, but in the view of our Government retaliation will not produce much effect. I am not under a delusion that by retaliation we shall be able to secure the removal of all the grievances because, in the case of some of the Colonies and Dominions our retaliation will not be effective. But even there I feel that the Government of India should try the method of retaliation to the extent to which they can try. Even if it is a gesture it should be tried. If some countries do not give us political rights, we should pass legislation taking away whatever rights the nationals of those countries may possess in our country. That will not have much practical effect, but it will have some effect, it will at least give us some satisfaction that in our country they also are not given the rights which we are not given in those Dominions.

Then, Sir, the real difficulty in the case of Colonies like Kenya is that we cannot retaliate against Kenya very much because, the Europeans who go to Kenya do not come to our country in large numbers. There the real culprit is the British Government and the British people. Unfortunately, on account of the Government of India Act, we cannot retaliate against them in India. People can proclaim boycott and some other things but we have a much bigger quarrel with the British Government and the British people and that fight is being made. We cannot have a separate retaliation over overseas problems against the British Government and the British people. Our fight with the British Government is going on for a much higher aim. I feel that the Government of India have done something but they can do more. They ought to take more vigorous steps to appoint their agents in various Colonies. I feel that the Indian people themselves can do something in this matter. I strongly feel that people in India and the Indian communities who are settled abroad can do something for themselves and I have a feeling that if we put forward greater efforts and organise ourselves, both in this country and abroad, we shall be able to do much more in the matter of the removal of our grievances. In the first place, we shall increase the strength of our people there and by our own constructive effort we shall be able to improve the condition of our people there to some extent. Secondly, if we organise effectively, our voice will have greater weight with the Governments both here as well as in Great Britain. I, therefore, feel that non-official voluntary agencies should be brought into existence both in this country and in the Colonies in order to organise the communities here and also those living there. Take the working classes in Malaya, Ceylon and other Colonies. They have no trade unions. We can do something in that direction. You cannot expect the Government of India to send out the organisers. That can only be done by people in this country by collecting funds. If conditions are to be improved, there must be people to agitate and people in India can do something in that

matter. Even the merchants and other classes are not properly organised. I know that in South Africa there is the Indian Congress and also in East Africa and other Colonies but these organisations are not strong. If we can collect funds, we can educate our communities there by sending social workers and agitators. People in the smaller Colonies lack leadership and that leadership can be supplied by India. There is nothing wrong in sending agitators. I know they will not be welcome there. Still we should send them there to educate them and organise them. We can do something in the direction of sending out missions of people who will educate our communities there. This will have a double effect. In the first place, it will educate our people and in the second place, we shall have greater influence over the Governments. We must also improve conditions of the working classes in India. Take the case of the labourers in Ceylon and Malaya. If we ask the planters and the Governments of Malaya and Ceylon to improve conditions in regard to labourers, they will naturally ask what are the conditions of the labourers who work in India. We can tell them that they are working in their own country but that when they go about we are justified in asking for better conditions. We can give that reply but that reply is not convincing. If we want the conditions in Malaya and Ceylon to be improved, then it is necessary that the conditions in the plantations in Madras and Assam must be improved. I am glad to find that since my friend, Mr. Giri, took over the Ministership in Madras he has made efforts to improve the conditions of people working in the plantations in Madras. The Congress, before they took office in Assam, was thinking of bringing some legislation to improve the conditions of labourers in the Assam Plantations. Unfortunately, the Government in Assam has arrived at a compromise with the European planters in Assam. I do not like that compromise at all. It would not lead to any good result. I would like the Governments of Madras and Assam to make more vigorous efforts to improve the conditions in the plantations in those provinces. Lastly, some of our people go abroad because the standard of life and the amenities in India are very low and wages are low. I would, therefore, strongly urge that conditions in India should be further improved.

Sir Girja Shankar Bajpai: Mr. President, this is the third occasion since this Session started, that the House has taken up the subject of Indians overseas. On previous occasions, we discussed Burma and Kenya; today the whole subject in its wide domain has been brought under review. I think it will be no exaggeration to say that, in the course of their speeches, Honourable Members have literally girdled the earth, touching as they have touched upon far-off Fiji and distant Demararah. It will be realised that, within the limitations of time imposed upon me, it will not be possible to do full justice to all the points that have been raised. I shall therefore deal with some of the more important points and if a number of them is left over, I hope Honourable Members will forgive me, realising that this has not been due to any want of courtesy, but to want of time.

Several speakers devoted attention to South Africa, and rightly so, 3 P.M. because, using the language of metaphor for once, I think it can be said that it is this portion of our overseas horizon where the shadows crowd most thickly and fast. Now, Sir, except for the heroism our own people there—not the heroism of the sword but the heroism

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of the soul—and the sense of justice of a few enlightened South African Statesmen,—this sombre landscape of the history of our people overseas is the least relieved by any gleams of light. Here we are and long have been up against stresses of racial feeling, profound in origin, tenacious in strength, seldom inactive, and easily aroused to intensity, which, because of these very characteristics, it is difficult effectively to counteract. Take for instance this question of segregation. Honourable Members who take an interest in South African affairs know that this has been the cry of a certain section, if you like, a very vocal section in South Africa for years and years together. There was the Class Areas Bill of 1924-25. It took a deputation and a Round Table Conference to bring about the abandonment of that measure.

In 1931, another outcry was raised. This time the allegation was of the evasion of land laws in the Transvaal. There was another Round Table Conference, resulting in the appointment of the Feetham Commission, whose recommendations at any rate did recognize the principle that in the Transvaal on the proclaimed lands, that is to say, the mining areas, Indians should be allowed to occupy land for purposes of trade and residence both, without segregation. Then, Sir, last year, another cry was raised, namely, that outside the proclaimed areas in the Transvaal Indians were evading the law. There was a fresh Commission appointed, the Murray Commission. That is, as far as I know, still sitting, or if it has completed its report, the report has not reached us yet. Finally, Sir, there is this move to which my Honourable friend, the mover of the cut motion, Mr. Avinashilingam Chettiar, has referred, namely the move of the Ratepayers' Association of Pretoria, resulting in the announcement by the Minister of the Interior that there may be a scheme of servitude, as regards occupation and ownership both, introduced, provided that seventy-five per cent. of the residents of a particular area desire such servitude to be imposed. Now I do not wish to dwell at any very great length on this particular scheme, because, not so very long ago, I had occasion to answer a question in this House in which I tried to explain what the position was. As far as we know—we are in the closest possible touch with our Agent-General in South Africa—, no decision has yet been reached in this matter. But the fact remains that the Indian community in South Africa is in a state of apprehension, grave apprehension, with regard to what may be the outcome of the agitation which a certain section of the people in the Transvaal have been carrying on. And let me say that we fully share that apprehension. We feel that the principle of allowing Indians to own and occupy property without segregation throughout the Union must be vindicated. Sir, my Honourable friend, Mr. Satyamurti, in a supplementary arising out of a short notice question which was asked I think more than a fortnight ago, asked me whether the Government of India themselves had made any representations to the Government of the Union of South Africa. I think I can now state on the floor of the House that we have been for the last fortnight in direct correspondence with the Government of the Union. You may take it from me, Sir, that in so far as the method of negotiation is concerned, the Government of India are determined to try it out.

My Honourable friends will say, "but the method of negotiation may not succeed". I would remind you, Sir, that on two previous occasions when similar measures were forecasted, in 1924-25 and again in 1931-32.

the method of negotiation did succeed. Mr. Satyamurti and other Honourable Members interested in this subject know that there are moments when one cannot reveal much. And, when negotiations are in progress, little can be said. All I can say at this stage is that I am not without hope of this matter being amicably adjusted in a manner honourable to all sections of the Indian community concerned.

Before I pass from this subject, I should like to say one word with regard to the general attitude of the Government of India in respect of what is called "retaliation". Speaking specifically of South Africa, I can say this, that the Government of India are not weighed down by any sense of subservience or inferiority. Their main objective is to protect the interests and the self-respect of the Indian community in South Africa: and the only restraint and restriction on their actions which they recognize are those dictated by the paramount consideration that nothing shall be done which may injure those interests. Honourable Members are perhaps aware that not very long ago there was a conference of Indians in Johannesburg when it was decided, not to resort, at any rate for the present, to any kind of direct action. I hope my Honourable friends will agree that it would be unwise of us, if our solicitude for our people is to be helpful, to resort to any kind of direct action. They—our people in South Africa—are the best judges of the local conditions and they are unwilling to adopt that course. For the rest, I am still hopeful that this thing may be satisfactorily settled by the method of negotiation.

Now, Sir, from South Africa, I have to come to the Pacific. Fiji was the colony which was touched upon by my Honourable friend, Mr. Avinashilingam Chettiar, and I think by my Honourable friend, Mr. Kuladhar Chaliha. There, as was correctly pointed out by Mr. Chettiar, the most important question is the question of the tenure of land, because the bulk of the Indian community in Fiji is agricultural and, under the present system, leases may be given for a period of twenty-one years in the first instance and extended to a period of thirty years but no more. That means insecurity of tenure for the Indians in Fiji. Now I should like to emphasise, in the first place, that this particular limitation of the term of leases is not racial in character: it applies to all leaseholders, whether they happen to be Europeans or they are Indians. But that does not dispose of the fact that thirty years is much too short a period for which especially a cultivator may hold land. And I think, Sir, that, earlier this Session or, possibly, it was during the Simla Session, when we had taken this matter up with His Majesty's Government, His Majesty's Government committed themselves to the principle that, apart from land which may be needed immediately and exclusively by the natives of the soil, that is to say, Fijians, all land should be available for the purposes of development. I understand that the idea is that such land may be leased out for a period of ninety-nine years. There is to be a Commission to go into this question, and we have already asked His Majesty's Government in the United Kingdom to let us have an Agent in Fiji who would, *inter alia*, assist the Indian community in safeguarding their own interests in so far as leases and occupation of land for agriculture or other purposes is concerned. My Honourable friend, Mr. Kuladhar Chaliha, referred also to the Immigration Ordinance. Let me tell him, first, that that Immigration Ordinance is of a non-racial character and applicable to everybody. The committee to which he referred has undoubtedly presented its report but that report, I gather, is to be discussed first in the Legislative Council of

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Fiji and we are not yet in possession of the views of the Indian community on that report. Until we know what those views are, my Honourable friend will appreciate that there may be danger in making representations which may run counter to the wishes of the Indian community in Fiji.

Again, let me jump from Fiji to British Guiana, from the Pacific to the Atlantic. Mr. Chaliha, I think, referred to the question of marriages there. It is perfectly true that, according to the law, the offsprings of marriages which are not registered are illegitimate, but the remedy for this illegitimacy is registration. It is not anything racial or denominational. All the inhabitants of the Colony, to whatever race they may belong, have to register marriages. What has happened both in British Guiana and in Trinidad is this. The Indian communities have said that they are not prepared to accept registration for themselves. They feel that it is an interference with their personal law, and they hold their personal law, which is a part of their religion, dear, and therefore they are not willing to conform to a system which may suit the Christians but which does not suit them. With regard to that, it was said that for a hundred years the Government of India had done nothing. As a matter of fact, the Ordinance to which I refer, I think, dates back to something like the nineties of the last century and, as such, it is not quite fair to suggest that for a hundred years nothing was done. We could not do anything with regard to a law which was not in existence. But as regards the law that I have been discussing, and which dates back to the nineties, Kunwar Sir Maharaj Singh was in British Guiana in 1925, and subsequently in Trinidad, and he suggested that, instead of requiring the parties to a marriage to undertake registration, Government should license those who perform these marriages, that is to say, priests amongst the Hindus and Qazis amongst the Muhammadans. That system prevails in Fiji and the Indian community there has accepted that system. As far as I now, there is a possibility of a solution along those lines being found both in Trinidad and the British Guiana. In any case, Mr. Tyson, who is now in these territories, has been instructed to do his best with the Colonial Governments concerned to bring about legislation in conformity with the wishes of the Indian community there.

Now, I come back "nearer home"—to use a phrase employed by certain Honourable speakers before,—Ceylon and Malaya. With regard to Ceylon, the question of the Village Community Ordinance was raised. I have explained the position about that before, and I do not think it is necessary for me to repeat what has already been said. We are not satisfied even with the amended Ordinance because, although it may not, in the letter, discriminate against Indians, we know that actually the people affected are the Indian estate labourers. It has also been communicated to the House that when trade negotiations take place with Ceylon, those disabilities of Indians in Ceylon will also come within the purview of this discussion. That still is the intention of the Government and that is where we intend to leave the matter for the present.

As regards Malaya, it has been suggested that certain things have been left out by us in our negotiations with the Malayan Delegation. I think those Honourable Members who made the suggestion did not perhaps attend to what I had to say on the subject in answer to a question during this very Session. What I said was, that although the wage question was prominent,

we also made it clear to the representatives of the Malayan Government that Indian sentiment attached very great importance to the question of status, to the question of the eligibility of Indians for the public services and so on. And I can assure the House that, in the negotiations which are to follow, after we have received the views of the Government of Madras, who have been consulted, these particular subjects will be kept as prominently in view as the question of the wages to be given to the Indian labourer.

Then, Sir, something was said with regard to the appointment of agents. I do not think that the House can be in any doubt about the intentions of the Government of India in this matter. The Government of India are fully conscious of the necessity of sending agents to those far-off territories, from where, unfortunately, at the present moment, it is not possible to get timely information with regard to matters which affect the Indian communities. But, as I have pointed out to the House more than once, it is not a matter which is entirely in our power or in our discretion to regulate. You cannot send an official or an accredited representative to another country unless the Government of that country is prepared to receive your representative. The argument which has been so far put forward in opposition to our suggestion for the appointment of agents is that there is no longer any obligation on the Colonial Governments to respond to the suggestions of the Government of India for the appointment of agents; that if we have representatives there, the result will be that these communities which are permanently settled there and which ought to look to the Colonial Governments for their salvation would acquire an extra-territorial loyalty, all the time thinking in terms of the Government of India and their intervention, and paying precious little attention to the views and wishes of the Colonial Governments. That is the point of view which is emphasised from the other side. I do not say that we accept it. For instance, I am not betraying any secret when I say that Mr. Tyson's mission to British Guiana specifically includes, in his terms of reference, the question of the appointment of an agent there. All that I wish to impress upon the House is, that while we are in complete agreement with Honourable Members who desire that an agent should be appointed, and while we are doing our best to get the principle of the appointment conceded, we cannot force our agents upon the Governments of those Colonies if they are not prepared to receive them. I am hoping that better counsels may prevail and that our agents may be admitted into these territories with the full realisation that their presence will be not only helpful to the Indian communities but also to the Colonial Governments concerned.

Then, Sir, I think it was my friend, Mr. Deshmukh, who made certain charges against my Department. He said: "This department is extremely slack; it does not act in time. For instance, what about the appointment of agents? Why has that been delayed?" I have explained why there has been delay. Then, he referred to certain resolutions passed by a Conference of Indians in Fiji; and he said that, the other day, I had said that we had not had time to examine those resolutions and recommendations. May I inform him that those resolutions reached the Government of India only on the 28th February? The two most important subjects dealt with in those resolutions are land tenure and the appointment of agents. I have already informed the House what the Government of India have been doing with regard to the appointment of agents and with regard to the question of land tenure. I do not think that any charge of criminal neglect against the Government of India can fairly

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be sustained in so far as this particular matter is concerned. Then, there was a reference to the Emigration Board of Kenya. My Honourable friend said that the Government of India are absolutely callous with regard to the operations and activities of this Board. If my Honourable friend will do me the honour of reading the replies which I have given earlier on this question, he will find that the only principle raised was that relating to the representation of Indians on the Board. Within a few days of the receipt of the representation of the Indian community, we asked the Secretary of State for the Colonies to accept the representation of Indians on this Board. I do not think there is any justification, with regard to this matter also, for the charge that the Government of India in my Department have been neglectful of their duty in attending to representations which come to them from different Colonies and Indian communities in different parts of the Empire.

I think that in so far as the points of detail or points with regard to the specific countries are concerned, I have dealt with them as best I could in the time available to me. There were certain observations of a general character made, and I would like to allude to them briefly before I resume my seat. It was said that there is a great resentment in this country at the treatment which Indians receive in different parts of the British Empire. We have never concealed our own resentment, our own dissatisfaction, at the fact that there are these inequalities. Time will not permit me to state in full detail the history of the negotiations which have taken place on this subject in the past. We share fully the resentment of Honourable Members at the existence of these inequalities, at the existence of these disabilities and, subject to our power to deal with these matters, we are doing our very best to have these inequalities removed. It was further contended that these disabilities cannot be removed until autonomy or self-government or independence is obtained for India. In so far as Honourable Members are making a claim for the independence of India, I submit that that is a large question which falls outside the purview of the department for which I speak. I am merely here to render an account of our stewardship, subject to the limitations which the system under which we are working imposes. I would like the House to reflect fairly on the account, very brief account, very imperfect, if you like, that I have given and then say honestly: "Within your limitations, that which you could have done you have not done". My Honourable friends want autonomy. By all means let them have autonomy. But it would be for them to reflect on the possibility of autonomy having also its limitations when they secure it. The other day, when the question of Kenya was under discussion, I pointed out that it is not merely a question of political status, but it is also a question of sanctions. I think it is rather ungracious to forget that where sanctions are open to the Government of India, as for instance in the case of Malaya and Ceylon, those sanctions have been applied. But when sanctions are not available, then you cannot blame us for not applying something which we do not possess.

Mr. S. Satyamurti (Madras City: Non-Muhammadian Urban): What about Burma?

Sir Girja Shankar Bajpai: My Honourable friend has raised the question of Burma. He made a specific suggestion the other day, and I think he had a reply to that from the Honourable the Commerce Member, that

the particular question of trade agreement with Burma was under consideration. I do not think I need go into greater detail with regard to that.

To sum up, we recognise that there are difficulties in the matter of the treatment of Indians overseas. We are glad, Sir, that the House has brought up this discussion because it gives us an opportunity to ascertain the views of Honourable Members, not that these views need be ascertained, they are pretty well known,—and it will strengthen the representations that we shall be able to make to other Governments; the realisation that in this matter the Government of India have behind them the opinion of the people of this country and their representatives is undoubtedly a very great asset to us. I hope, Sir, the House will continue to give us that support, not in a spirit of distrust of us, not in a spirit of distrust of our weakness, but with the full realisation, that within the possibilities that are open to us, we are doing everything that is possible to uphold the honour and to protect the interests of Indian communities overseas.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the demand under the head 'Department of Education, Health and Lands' be reduced by Rs. 100."

The motion was adopted.

DEMAND No. 19—COMMERCE DEPARTMENT—*contd.*

Failure of the Government to protect the Coconut Industry.

Mr. K. Santhanam (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, I beg to move:

"That the demand under the head 'Commerce Department' be reduced by Rs. 100"
—(To discuss the failure of the Government to protect the coconut industry).

Sir, during the last few years, specially ever since the present Finance Member came to the Government of India, it has become the fashion for Members of the Government of India to profess sympathy for the Indian agriculturist as against the industrialist. This profession might have been useful as a stick to beat the Indian industrialist, but it has not helped the Indian agriculturist. Sir, during the last fifty years, I do not think the Indian agriculturist has been in a worse plight than he has been during the last five years. His purchasing power has been almost destroyed. The cultivators of paddy, coconut, ground-nuts and other agricultural products are today and have been for the last five years parting with their produce for less than the cost price. If he has been still able to purchase of a few lbs. of salt, or a few match boxes or a little bit of kerosene oil, the agriculturist was not able to purchase all these necessities of life out of any surplus of his produce, but because he has been defaulting in the payment of rent, interest, land revenue and taxes. He has been living in the hope that political changes will absolve him from these accumulated liabilities. It may be said that the Government of India are not responsible for this state of affairs, but that the world depression is responsible. In the first instance, it is true that world depression started this calamity, but this depression did not come only to India. It happened to the whole world. What have the Governments of other countries done for the agriculturists? I shall not cite the example of Italy, Germany or Japan who have taken so much trouble to protect the agriculturists and secure for

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them a fair price for their products. Even in Great Britain how much money has been spent? Millions have been spent to protect the growers of wheat, to protect the breeders of cattle, to get a fair price for eggs, bacon and all other agricultural commodities. Tens of millions have been spent in order to help the beet root growers, though from all accounts, no one can believe that England is fit to grow beet root. So much has been done in all other countries, but nothing has been done in India to protect the agriculturists of this country. I do not want to go further into this general problem.

My intention in moving this cut is to draw attention to the plight of the coconut industry. A few basic facts will be sufficient to bring the urgency of this problem before the House. There are 14 lakhs of acres in India under coconut cultivation. Of these 14 lakhs, 13 lakhs are in the Madras Presidency and the Indian States bordering on the Madras Presidency. Of these 13 lakhs, eleven lakhs are in Travancore, Cochin and British Malabar. These 11 lakhs of acres of coconut are cultivated by eleven millions of people which comes to one acre per ten people. The density of the population in this coconut area is about three times the average for the whole of India. You can realise how difficult the livelihood of these people must be even in the best of times.

The next set of facts which I would like to give the House is the trend of prices from 1927 to 1934. From the tariff value of about Rs. 23 per cwt. in 1929, it came down to Rs. 6 per cwt. in 1935, that is to say practically one-fourth of the price at which copra was sold in 1929. In 1934, the position became very desperate and the Government of India appointed Dr. J. S. Patel to make an enquiry and submit a report. In 1935, a special committee was set up to go into this problem, and between 1935 and 1937 the prices suddenly went up owing to extraneous causes from Rs. 6 per cwt. to Rs. 12 per cwt. and, during this brief period, the industry was just paying its way for the coconut growers to produce coconut. After 1937, the prices again fell down to Rs. 6 per cwt. at which price more or less the copra is being sold today. In Mr. Patel's report there is a calculation as to the cost of production of coconut. He has calculated that the total cost of production per ton of copra is Rs. 219-7-0 while the present price comes to more or less Rs. 120. That is to say, for every ton of copra the producer, at the present prices, has to lose about Rs. 100 while the present tariffs are 20 per cent. for copra and 25 per cent. for coconut oil. If the great fall in prices were merely due to the depression, probably some excuse might be found for Government; but it is not so. One of the main causes of the fall in prices has been that during the depression Ceylon lost her markets outside India and has begun to dump her coconuts on India.

I shall read some figures to show how this has happened. In 1929-30, only 10,000 coconuts were imported into India, while in 1934, 19 million coconuts were imported. In 1929-30, 152 cwt. of copra were imported into India while, in 1934, it is 6.75 lakhs of cwt. In coconut oil 1,566 cwt. were imported in 1929-30 while in 1934 it was 7.4 million cwt. In Mr. Patel's report all these things are converted into tons of copra and the result is that while in 1927 only 7,518 cwt. were imported, in 1933, more than 1 million cwt. were imported. It is, therefore, obvious, that India was not the traditional and natural market for Ceylon copra. This

market has developed only after the depression and, therefore, Government cannot say that we are coming and asking them to disturb the relations which have been existing for a very long time. There are facts to show that this copra and coconut from Ceylon is not brought into India at economic prices. It is being dumped because there are calculations to show that at the present prices it cannot be produced even in Ceylon though the Ceylonese have got three advantages. They do not pay land tax. The freight which Ceylonese copra and coconut oil pay when they are brought to India is much less than the freight charges between Cochin and Bombay or Calcutta. So far as coconut oil is concerned, the freight from Cochin to Bombay is Rs. 12 per ton; to Bombay from Colombo it is Rs. 7-8-0 per ton; to Karachi from Cochin it is Rs. 14-8-0 and from Colombo it is Rs. 12-8-0. To Calcutta from Cochin it is Rs. 12-4-0 while from Colombo it is Rs. 9. Therefore, they have got this advantage of freight. And the third advantage which the Ceylonese producers have got, is that they produce in large plantations while in India it is a cottage industry. Sir, if you go to Malabar you will not feel that the country is so populated; in fact, the whole population has been scientifically and hygienically distributed. Everywhere you find ten or fifteen coconuts and a cottage industry for a family. Therefore, in spite of the density of population, you find one of the fairest, cleanest and most scientifically distributed populations in a small country. It is only in Malabar where one can say that God has made the country good and man has not made it vile; and it is that part of India which is being practically ruined by the present import of Ceylonese copra and coconut oil at dumping prices. Now, what is wanted to remedy the situation? A deputation from Travancore waited on the Government of India recently and they have demanded a specific duty of Rs. 100 per ton. Sir, as I have said, the existing duties are 20 and 25 per cent. *ad valorem*. I do not know if the *ad valorem* duty is a very good measure for purely revenue purposes, but as a measure of protection or of help to the agriculturists it is worse than useless. When the prices are high you add up to the prices by this *ad valorem* duty; when the prices are very low the duty too becomes very low. For instance, when it was Rs. 23 in 1928-29, though the Indian importer had to pay only 15 per cent. at that time; he had to pay nearly Rs. 4 per cwt. Now, though the duty has been raised to 20 per cent. *ad valorem* he has to pay only Rs. 1-4-0 per cwt. This is quite ridiculous. Now, we want a specific duty irrespective of the prices of cocoanut oil or copra. The specific duty must be such as to ensure an economic price for the cultivator. Of course, I may be asked what is to happen to the Ceylonese imports. Sir, if the demand for copra and coconut oil is really genuine this imposition of a specific duty will not hurt it, because people will buy; but if it not genuine and if it only helps to displace our other oil seeds by its unduly low price, then it is certainly good for the country that the import should be restricted. Sir, I do not think it will hurt the Ceylon industry. The fact is, as I have pointed out, that the Ceylon industry also is suffering. There are companies who have not been paying any dividends for the last few years. Of course, I am not particularly worried that they do not pay any dividends; but the point is that they are forced to export to India at such prices that the Indian agriculturists cannot get his cost of production. That is the main point, and it is the indispensable duty of the Government of India to see that as far as it lies in their power every agriculturist in this country does get, at least, the cost price of his product.

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Sir, there is one other important point about this coconut industry. You cannot change its area or interfere with it in a short period. It takes ten years for the coconut to become productive and it continues for 80 years producing, almost the same amount of coconuts, unless the cultivator cuts it off or totally neglects it. Therefore, the production cannot be changed and adjusted to market conditions, just as in the case of other crops. It cannot be substituted. Therefore, in the case of the coconut industry, in particular, the securing of a minimum economic price is more important than in the other cases. Sir, I have pointed out that the cultivator in Malabar today does not get this economic price. It is the duty of the Government of India to secure him this economic price, and the method is to put in a specific duty which will secure this economic price. But, Sir, there is a differential duty on coconut oil of five per cent. Of course, I have no objection to the differential duty as such; if anything has to be imported, it is better to import coconuts and copra rather than coconut oil so that at least there can be a coconut oil mill industry in India. But the need of the coconut oil mill industry is only subsidiary to the interests of the agriculturists. First, the duty is needed to secure a proper economic price for the agriculturist; next, by all means try to help the oil industry. Sir, subject to these conditions I have no objection to the differential duty as such. Put in a specific duty of Rs. 4 or 5 per cwt. for copra and if you want you may increase a little when copra is brought in the form of coconut oil. But without a regular and proper specific duty on the imports of copra the people themselves will be reduced to utter ruin. That is the position today and the Government of India cannot go on fiddling, hoping that these periodical changes of prices will, somehow, get them out of the difficulty. They have seen that the prices came down between 1932 and 1935. Between 1935 and 1937 they went up a little but have come down again; and it is no use speculating that they will go up again. These variations do not help the agriculturists. When the prices come down the agriculturist does not get much and gets into debt; when the prices go up he spends what he gets: he is not able to average it out between the various years and he is not much the better for any improvement in prices that may occur

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. K. Santhanam: I am finishing. I hope I have made out a very strong case for immediate and urgent help or protection to the cocoanut industry. I would only like to point out also that though I have made out a case only for cocoanut and cocoanut products, paddy, ground-nuts and other agricultural products have very similar claims and it is time that the Government of India should adopt a positive policy of active protection of agriculturists. I do not see why only wheat should claim their patronage. I supported the duty on imported wheat; but there are other agriculturists in India who deserve equal protection from the Government of India. Sir, I move my cut motion.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Commerce Department’ be reduced by Rs. 100.”

Mr. J. D. Boyle (Bombay: European): Mr. President. I have intervened very briefly in this debate because I entirely agree with my Honourable friend, Mr. Santhanam, as to the plight in which the cocoanut industry finds itself and also because I should like to amplify, if I can, in rather more general terms, some of the observations which Mr. Santhanam made

Mr. S. Satyamurti: But will you vote?

Mr. J. D. Boyle: It is perfectly true, as Mr. Santhanam said, that this is a peasant industry: it is in the nature of a cottage industry, while the industry in Ceylon is almost entirely run on plantation lines and is much more highly industrialised. It may be true that it is necessary for us in India to reorganise the industry in some way in order to put ourselves on a more level footing with Ceylon; but it is, nevertheless, true at the present moment that thousands of families, who can only just make both ends meet, when the prices of cocoanut are reasonable, find themselves at the present moment, as a result of dumping from Ceylon, on the point of ruin. Ceylon's case, as I understand it, is that she can produce copra more cheaply than India and, therefore, India has to put her own house in order if she wants to have a fair share of the trade. If that is so, why is it that the Ceylon Government itself has imposed a tariff on imported cocoanuts? The answer would appear to be that Malaya and other parts of the country are there, but, particularly, Malaya have been able to grow cocoanuts even more cheaply than it is found possible to do in Ceylon, and, therefore, it is perhaps up to us to urge Ceylon to put her house in order. At any rate if Ceylon in order to foster its own industry has had to put on some form of protective tariff then it seems to me that it is a perfectly good argument open to India to do the same thing. If India has to import—and that is an argument which is open to a considerable amount of doubt—but if she does have to import, I wonder if it has occurred to Honourable Members that she might do worse than import from that country which finds it can produce even more cheaply than Ceylon since there may be such a country, because Ceylon has to put a duty on to keep such cheap cocoanuts out. I should like to quote, if I may, from a speech that was made before the Travancore Chamber of Commerce on this subject. One of the arguments raised was this. The speaker said:

"We have heard much of the low cost of production of copra in Ceylon as compared with that in India, but there is not the slightest proof that such is really the case. In fact, a reference to the share quotations of most of the Ceylon cocoanut companies shows that they have been working at a loss, or, at any rate, at no profit, for many years past. The sale of copra at a loss does not postulate lower production costs. It suggests bad marketing and proves that the copra and oil which Ceylon ships to India is being sold at distress prices because a market cannot be found elsewhere. India does not need this copra or oil."

Now, I would like to implement even further the figures that my Honourable friend, Mr. Santhanam, gave about the imports of cocoanuts into India from Ceylon. He gave some very interesting statistics but I think he will agree with me that if he looks again he will find this even more remarkable fact and that is that the figures vary according to the difference between the price in India and the world price: that is to say, that imports into India from Ceylon are at their highest when the price in the Indian market is higher than the price of the world market, and they fall correspondingly when world prices improve; so that it is very difficult

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for Ceylon to claim that she is, in fact, meeting a vital and urgent necessity on the part of India when one day she does it and the next day she does not. Before foreign imports, which, I think I am right in saying, started in large quantities in 1931, before they came, the price of the Indian product was largely regulated by the usual laws of supply and demand; and any abnormal rise in cocoanut prices was more or less checked by the suitability of other oils, such as ground-nut oil. But copra had always a great price difference because the public preferred cocoanut oil to ground-nut oil. Now, since 1931, that is, the year in which foreign imports started to a considerable extent, copra has not been able to maintain that price level and Ceylon copra has been available in India at ground-nut prices. This explains the abnormal increase in the Indian demand for the Ceylon product. Now, given reasonable protection the Indian production can meet, I do not think I am exaggerating at all when I say this, all the requirements of India, and they can do so at a price that is reasonable both to the producer and the consumer. The degree of protection that has to be applied must be a matter for examination, and what I would suggest to my Honourable friend is that what is required now is for Government to run an investigation: there must be a careful examination of all the statistics, of all the import figures and the potentialities of the Indian market before it is open to us to say that such and such a degree of protection is necessary; and what I would urge him to do is to impress upon the Government of India the necessity for holding such an inquiry in order that protection, if necessary, may be granted, rather than censure the Government of India forthwith. I am sure that that is really what his Party require. It is quite absurd to ask for protection without an inquiry, and I would suggest that what Mr. Santhanam's Party really needs is to impress upon the Government of India the necessity for holding such an inquiry immediately. With that point of view I am entirely sympathetic, and if Government can assure me that they either have already arranged or are in the process of arranging to hold such an inquiry, I for my part will be quite satisfied.

Mr. H. A. Sathar H. Essak Salt (West Coast and Nilgiris: Muhammanadan): I rise to support the motion. I come from that part of the country which produces cocoanut and about the woes of whose people my Honourable friend, Mr. Santhanam, had so much to say. I represent here the districts of Malabar and South Canara which, together with the States of Travancore and Cochin, form Kerala, that is, the country of the cocoanut. We produce the bulk of the cocoanut in India. Ever since the commencement of this Assembly we have been pressing for some sort of protection for our copra against the import of copra and cocoanut from outside India. Government have been telling us that they have been going on with enquiries and committees and so on. I have here the report of the very first question that I asked on the floor of this House on the 20th February, 1935, and that was in connection with the need for a protective duty on copra. The then Commerce Member, Sir Joseph Bhore, replied:

"An enquiry into the conditions of the cocoanut producing industry has been carried out by Dr. J. S. Patel under the orders of the Imperial Council of Agricultural Research. His report was placed before an *ad hoc* Committee of officials and non-officials convened by the Council. The Committee met at New Delhi, from the 14th to 16th of January, 1935, and its report and recommendations are now under consideration by the Government of India."

This was on the 20th February, 1935. In February, 1939, that is, this year, we were told in this House that enquiries were still going on. As a matter of fact, these enquiries began five years before I came into this House, that is to say, it is already ten years that the enquiries are going on. My Honourable friend, Mr. Boyle,—to whom we, who come from Malabar, are very thankful for the support that he has given us—still speaks of an enquiry. I do not know what sort of an enquiry he is thinking of. The figures are there. The economic factors are there. The Agricultural Research Institute has had an expert enquiry into this matter, and as a matter of fact, it is not denied anywhere that the people in Malabar and in the cocoanut producing districts are really suffering a good deal. I do not know whether Mr. Boyle knows it or not, we sent out delegations, we sent out deputations, our deputations interviewed the Commerce Members, and we even interviewed Lord Willingdon. We were assured, every time, that enquiries were being carried on and that something tangible was going to happen very soon. We have been waiting and waiting for the last five years at least, but nothing so far has been done. Lately, we were told in this House that the Government of India are awaiting some communication from the Madras Government, I do not know whether that communication has reached them, and, if so, what action the Central Government is going to take on it.

I do not think I need bother the House with figures, but this much I have to say. From time immemorial my people have been depending on cocoanut and cocoanut alone for their subsistence. Cocoanut to us is not an industry; it is not commerce; it is our livelihood. It is known as the *Kalpavriksha* of the West Coast of India, because it supplies all the needs of the inhabitants of that part of the country. With us, unlike Ceylon, this is not a plantation. It has been calculated that 90 per cent. of the holdings in cocoanut in the West Coast are in small gardens below two acres. That shows that our people are keeping these gardens, not as a commercial undertaking but as a means of their subsistence. The fall in price of cocoanut from about Rs. 60 in 1926 to Rs. 17/8 today has resulted in the gardens being neglected. This is very important. For the last ten years people have been suffering and suffering very badly, but now, because of the abnormal fall in the prices of the products of these gardens, the gardens are being neglected. The trees are getting deteriorated. The trees are worth millions of rupees and this is a loss which, if allowed to continue for some time more, it will not be possible to remedy afterwards. Once the trees become barren there will be no use if any protective duty is levied.

I do not think I will weary the House with figures as I said, but I will go a little further back from the date from which my Honourable friend, Mr. Santhanam, quoted his figures. I will go back to the year 1926-27. It will be found that in that year the import of copra from Ceylon was almost negligible. In that year the quantity of copra imported into India from Ceylon was 32 tons. This import has been increasing by leaps and bounds ever since then, and in the year 1937-38, the last year for which we have figures, we find that the imports have gone up to 45,613 tons. And the difference in value is also worth noting. The 32 tons of 1926-27 cost Rs. 13,054, while the huge import that I have just now mentioned was of the value of Rs. 87,64,561. What I am trying to point out is this, that from small beginnings this import has gone up to such an extent that it cannot but affect us materially. I do not think that any further enquiry

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is required, or any more time need be wasted by having costly committees which bring out no result at all. So far as the sufferings of my people are concerned, I need not say much. I have told the House that we depend on copra and copra alone for our subsistence. The price of our product has gone down within the last 12 or 15 years to one-fourth of what it was in 1926. The House can very well understand what will be the effect of this on the poor people whose sole dependence is on cocoanut alone.

Another strange thing is this. We cannot understand why the Government of India need have this soft corner in their hearts for
 4 P. M. Ceylon. I do not know if the House is aware of the fact that Ceylon has raised its tariff walls high against certain imports from our country, such as poultry, vegetables, ghee, ginger, cement, fish, etc. Many of these articles are imported into Ceylon from the Malabar coast itself. Then there is the other consideration which Mr. Boyle has pointed out. Ceylon has imposed a very high tariff duty against the import of copra into Ceylon from the Straits Settlements. That shows what Ceylon is doing to protect an industry which to Ceylon and the Ceylonese people is only a matter of commerce. Here, for the last five years, we have been beseeching this Government to save seven millions of people who are faced with utter ruin and yet for the last ten years the Government is going on making inquiries and appointing committees. So far as the economic reasons are concerned I am sure the Government is convinced of the fairness of our demand, but there are political reasons and it is politics that has a large share in determining all these matters. But whatever the reason is, let me tell the Government that my people in Malabar, Travancore and the West Coast, cannot go on suffering like this much longer. Not only that. The condition of these small gardens and trees has to be taken into account. Once these are allowed to go to ruin, we will not be able to put back the loss that is caused. I, therefore, request Government to come out boldly with their proposals. There is no use sheltering themselves behind committees and experts and that sort of thing. I do not know whether this is the proper time for them to act. In any case I understand that the negotiations for the Indo-Ceylon trade treaty are going to be started very soon and the vote on this motion will be a reminder to the Commerce Department and the Commerce Member that a protective duty should be imposed on cocoanut and cocoanut products coming from Ceylon and that they must look into this, the first thing, when the negotiations begin. In this spirit, I support the motion and I commend it to the House.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): All the speeches that have been made till now in support of this motion have addressed themselves to particular points of view.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair, which was then occupied by Mr. S. Satyamurti (one of the Panel of Chairmen).]

I will confine myself to certain matters that are normally raised by way of objection by the other side to the grant of protection. Whenever a case for protection is sought to be made out, three points arise for consideration. The first is, whether the industry is a sufficiently large industry

on which a large number of people in this country depend. The second is, whether it is likely, in a short time, to make itself self-sufficient and stand on its own legs. The third point is, whether there is really dumping from another country which has to be prevented. In the case of the other country, another point is also considered whether there are any political relations or trade relations which have also to be taken into account before protection can be given. So far as the first point is concerned, whether the industry is supporting a large population in this country, I think there can be no doubt. India is the biggest producer of cocoanuts in the world. There are seven millions of acreage under cocoanut plantation in the whole world. India stands first with one million and 388 thousand acres. The Phillipine Islands come next and last comes Ceylon. These are the three major cocoanut producing countries. South India produces 94 per cent. of the production in the whole of India and the Malabar Coast produces 92 per cent. of the South India production. There are nearly eleven million persons holding small plantations. They have to sell the cocoanuts and purchase the necessaries of life. Now, Ceylon has only a population of five millions. My Honourable friend, Mr. Santhanam, said that the population per square mile in the West Coast is nearly 1,024 or nearly five times the average population of the rest of India. In the areas where the cocoanut plantations are thick, the population is heavy. This eleven million population, on the West Coast, lives entirely upon this industry and Ceylon has entered into unfair competition. Ceylon has now lost some of her former markets. One of her biggest markets was America and now America is getting her requirements from the Phillipine Islands and, therefore, Ceylon to that extent has lost one of its exporting centres. The other two countries which have been taking large quantities of cocoanut oil from Ceylon have been Italy and Greece. They are now trying to develop their own olive oil industry. Thus, the main markets of Ceylon have been closed in recent years. It is for that reason that Ceylon has entered into unfair competition with India.

Now, repeated representations have been made on this subject since 1932. Mr. Patel went into this matter and produced a report. A committee of the Imperial Council of Agricultural Research went into this matter. It said definitely that the copra industry has to be protected against Ceylon competition by the imposition of a duty of nearly 70 rupees on every ton of copra imported into this country. That recommendation was made long ago and still the Government are sitting idle. As I have already said, Ceylon lost its foreign market and has no local market and it has to sell its produce in India, even at unremunerative prices. Otherwise they would have to allow all this produce to rot within the borders of Ceylon. There are a few capitalists who are in charge of these plantations in Ceylon. Those companies are selling their shares much below the par at a discount. Every 100 Rs. share is going for Rs. 80. They are undergoing heavy losses. I can give the House some figures to show that the cost of production of copra in Ceylon is much above the sale price. 4,800 cocoanuts make one cadv of copra and Rs. 105 must be the price. At Rs. 22 per thousand, a unit of 4,800 cocoanuts must cost Rs. 105, but, as a matter of fact, that unit is now being sold in Ceylon at Rs. 92. When the cost price itself is Rs. 105, the additional labour involved in breaking the cocoanuts and converting them into copra must be taken into account. They have a large quantity of copra produced in the island in their plantations which they must sell as distress copra and which they are actually selling or rather dumping on the West Coast of India at ridiculously low

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prices. These facts have been reported not only by Dr. Patel's Report, but they have been mentioned even in the representations made by the various cocoanut planters in Travancore, Cochin and Malabar. The third evidence in this connection is that the trade representative in Ceylon himself admitted that in India a great deal of propaganda is necessary for disposing of all the distress cocoanuts available there. That means they must drive out all the other oils and oilseeds from the local markets, even at unfair prices. All these things are contained in the evidence which has been published. I shall just read a few lines from the representation made by one Mr. Parameshwaran Pillay, a retired High Court Judge and President of the 'Travancore Cocoanut Growers' Association. This is what he says:

"Even a casual perusal of the Report of Mr. Bassett, the Ceylon Trade Agent to India, will convince any unprejudiced mind that he was deputed to India to explore all avenues for under-selling the West Coast cocoanut products in different parts of India where they are selling now and not to find out new markets."

Then, Mr. Peri Sundaram winds up this part of his argument with a statement that:

"Dumping pre-supposes a combination for dumping supplies; but there is no such combination in Ceylon. But we have been always told by the authorities in Simla that the Ceylon cocoanut industry is a well organized industry. But that apart in the unfortunate position in which Ceylon finds herself in regard to her cocoanut industry, no combination is necessary for this, because Ceylon is forced to sell her goods at 'Distress prices'."

Now, Sir, their own officers have admitted that their articles are selling at distress prices in this country. This must be enough to convince the Government that there is unfair competition between the products of Ceylon and those of this country.

The next argument that may be raised is that the consumer may be affected if undue protection is given to this industry by imposition of protective tariffs. I ask the Government and the Honourable Member in charge to consider who are the consumers. There are two kinds. . .

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member has got only two minutes more.

Mr. M. Ananthasayanam Ayyangar: There are only two kinds of consumers,—the persons who produce oil from copra and the others who use directly vegetable oil as ghee and for making soaps, etc.,. So far as the millers are concerned, there are very few of them in this country, and their investment is very little, whereas the cocoanut growers have invested nearly 80 crores from which, the average yield is about six crores, and therefore, the case of the millers ought not to be taken into consideration. As a matter of fact, they are not using their mills to the full capacity because there is no market in this country.

Another argument that may be raised is that Ceylon might retaliate and we have got a favourable balance of trade with Ceylon. So far as that argument is concerned, India does not get the benefit even to the extent of a rupee by this. The three articles which are exported to Ceylon are rice, tea and rubber. We do not export rice in very large quantities from South India, but Burma has been exporting rice to the tune of 2½ crores. If they should retaliate against Burma, it is no concern of ours.

As regards the other two articles, tea and rubber, they are not consumed in Ceylon; they are sent to Ceylon for re-export purposes. That is not a matter for retaliation. Thus, so far as the question of favourable balance of trade is concerned, it is not going to be affected. We are not getting the benefit even to a small extent from Ceylon. Thus, Sir, the argument that if Ceylon retaliates we have to go to the wall does not apply. On this ground also I say there is absolutely no advantage to be gained by any further investigation, nor is any such investigation necessary as there is already a report on the subject.

Mr. Chairman (Mr. S. Satyamurti): The Honourable Member's time is up.

Mr. M. Ananthasayanam Ayyangar: Very well, I support the motion.

Sri K. B. Jinaraja Hegde (West Coast and Nilgiris: Non-Muhammadan Rural): Sir, I rise to support this motion, because the people of the constituency to which I belong are the worst sufferers. There are only two main products grown in this area, one is the cocoanut and the other is rice. Rice has suffered on account of unrestricted import from Burma and Siam, and cocoanut has suffered on account of increased import of cocoanut from Ceylon. As the previous speakers have impressed on you, Sir, the cocoanut industry of the South is the chief industry in India, and 94 per cent. of the cocoanut consumed in this country is produced in that area. Sir, my friend, Mr. Santhanam, gave certain figures to show how the Ceylon cocoanut has been responsible for the fall of prices of copra and cocoanut oil. I will supplement those figures by giving a few more figures. The export of copra, in quantity, from British India was as follows: During the pre-war years the average was 31,000 tons, during the war period the average was 16,000 tons, and during the post war period the average was 7,000 tons. Now, I come to the worst period. Between 1935-36 the average was 1,000 tons, between 1936 and 1938 it was less than 1,000 tons.

I shall now take the value of copra exported. During the pre-war days the average was Rs. 1,10,43,000, during the war the average was Rs. 60,73,000 and during the post war days the average was Rs. 28,84,000. Now, in 1935-36, the average was Rs. 54,000, in 1936-37 Rs. 25,000 and in 1937-38, the average was Rs. 45,000. It will thus be seen that the fall of trade from the pre-war period to the year 1937-38 has been very considerable—during the pre-war period the average was Rs. 1,10,43,000, whereas in 1937-38 it came down to Rs. 45,000 only. This fall in export is explained by the import of Ceylon copra by the following figures. In 1930, only 1,361 cwts. of copra were imported, but in 1935, 710,842 cwts. of copra were imported. Again in 1930, only 73,759 gallons of oil were imported, while in 1935, nearly seven million gallons of oil were imported.

Now, let us take the nuts. In 1930, only 19,000 nuts were imported, in 1935, 6,240,023 nuts were imported. At the same time the tariff value has also changed. From 1929-35, the tariff value on copra came down from Rs. 28 per cwt. to Rs. 6 per cwt. and on oil the tariff value came down from Rs. 80 a cwt. to Rs. 10 a cwt. This alteration in the tariff value has given a very good fillip for the Ceylon copra and oil for import into this country. Now, take the condition of Ceylon copra in their own country. They have to pay Rs. 45 as duty on every ton of copra imported

[Sri K. B. Jinaraja Hegde.]

into that country and the Ceylon Government have removed the export duty on copra, whereas, in our own country, we have not got the same tariff value. Therefore, we see that this cheap copra, which is produced on a capitalistic basis, is being dumped on the markets of our country. In Ceylon, a few capitalists own vast cocoanut gardens and produce cocoanuts on a mass scale, and they find they are very near the markets of the West Coast,—Malabar, Travancore and Cochin—and, therefore, they are able to compete very successfully with the cocoanut produced in the West Coast. Another advantage they have is, the cheap freight, with the result that they export their copra and dump it on the West Coast. Thus the West Coast is the worst sufferer.

Previous speakers have shown that the price at present obtaining in this area of the West Coast is really distress price and in respect of copra the loss is estimated, unofficially, at Rs. 130 per ton. That shows that our country is made the dumping ground for all other countries in the world for products industrial or agricultural and our agriculturists as well as industrialists have to put up a fight day and night against all these difficulties. My friend, Mr. Sathar, who represents the same area as myself, said that this agitation was going on for the last seven years. I myself put a question to the Honourable the Commerce Member whether he had gone through the address that was delivered by the Honourable Mr. Yakub Hussain at the opening of the conference of cocoanut growers of Travancore. Therein he stated that the Madras Government had done everything possible and they had made a specific representation to the Central Government that this cocoanut industry must be helped and a high protective duty must be put. We find that even the Local Government are feeling helpless in this matter and in spite of their strong recommendation the Central Government have not done anything. I find that in spite of this strong agitation nothing has been done so far and, I am afraid, whether anything will be done hereafter. But one thing is certain—that the people in the West Coast, who produce ninety-four per cent., as one previous speaker said, of the copra in the country, who are eleven millions in number of whom nearly seven millions are engaged in this industry, are sure to die of starvation if immediate steps are not taken. May I remind the Central Government that this area of the West Coast pays nearly a crore of rupees as land revenue to the Madras Government. That is nearly one-sixth of the total land revenue of the Madras Government. In order to pay this land revenue the poor agriculturist of the West Coast mainly depends on his cocoanut crop, which is the only money crop we have in the West Coast. We find that ninety per cent. of the total landowners who are called "pattadars" own land two acres and less and the cocoanut is the only money crop which enables them to pay the assessment. The land revenue is very high in that part of the country. When there are forty cocoanut trees in an acre of land we have to pay Rs. 7-8-0 an acre as assessment. Wherever the cocoanut is grown that land is classed as garden and assessed to land revenue. Therefore, I impress upon the Central Government that the problem is very acute and immediate steps will have to be taken in order to avert a crisis. Sir, I support the motion.

Honourable Members: The question may now be put.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Labour): Sir, it will not be necessary for me to make a long speech in reply to the considerations that have been presented in support of this motion, more particularly for the reason that I have considerable sympathy with the point of view which the Honourable Members have given expression to. Sir, it has been sought to be made out that this matter has been under investigation for over ten years and that no conclusion has been reached. That, I submit, is not a fair criticism of the actual position. As was pointed out by the Honourable the Mover of this motion prices have shown a tendency to fluctuate acutely during the period to which Honourable Members have made reference. Take the last ten years. Prices were rising before 1931, they began to fall in 1932. They continued to fall till August, 1934. From August, 1934, they began to rise again and, in 1937, the cultivator was again getting at least the minimum economic return upon his labour and his outlay. Therefore, as I have said, it is not fair to say that this condition of distress has continued for ten years and Government have done nothing about it.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Especially this is so during the past two years.

The Honourable Sir Muhammad Zafrullah Khan: I am not minimising even that; I am not saying that because there has been distress only during this period of two years, therefore, no attention should be paid to it, but it is true to a much larger extent than Honourable Members have been disposed to concede that this matter is governed by world conditions. Mr. Santhanam, who moved this cut, said that if he were convinced that that was so, he would be disposed to blame the Government much less than he has done. But to a very large extent I am afraid that that is so. Since 1937, there has been an unfortunate recession in the prices of all primary commodities. Jute prices have gone down since 1937 by twenty-five per cent., wheat prices have gone down by thirty-five per cent., raw cotton prices have also gone down by thirty-five per cent.

An Honourable Member: Fifty per cent.

The Honourable Sir Muhammad Zafrullah Khan: And ground-nut prices have gone down by forty per cent. It is true that the decline in the prices of coconut has been even more serious than in the case of the commodities that I have mentioned. But it is not true to say that this commodity has suffered in isolation and that the condition in which it finds itself is due entirely to factors other than the world prices that are ruling. There may also be other factors in the situation but one cannot get away from the position that real and effective relief could only be hoped for if there were a rise in world prices. I am not saying that nothing else is possible to help the industry. It is really with that object that inquiries were undertaken last summer, after prices had again declined. *viz.*, to find out what relief, if any, was possible in the circumstances. One indication that was given by the deputation that came up from Travancore and discussed this matter with me and other officers of Government was that there was considerable dumping from Ceylon. That allegation has been repeated by several Honourable Members this afternoon. Though I am afraid the factors that have been mentioned by those very Honourable Members themselves make one doubt whether the conditions that prevail in Ceylon and

[Sir Muhammad Zafrullah Khan.]

the prices at which Ceylon copra is being sold to India can really be described as "dumping", I am not ruling out that consideration. I hold no brief on behalf of either the coconut growers of Ceylon or of the Ceylon Government. As a matter of fact, I do not want to say anything on this question which might *vis-a-vis* Ceylon in any way weaken the case of the coconut grower in India. But there are one or two considerations which one must keep in mind. It is possible that those considerations might be refutable and there might be an adequate reply. So far as dumping is concerned, let us look at it in this way. If it is a fact that Ceylon has lost its markets outside and, therefore, accepts whatever it can get for its copra, I do not know that these conditions could fairly be described as dumping. What I had understood dumping to mean was that Ceylon, after selling in its best markets at economic or more than economic prices, disposed of the rest of its produce in the Indian market at much lower prices, or that Ceylon was selling to India at prices lower than the prices at which it sold in its own markets.

Prof. N. G. Ranga: What about the cost of production? It is less than its own cost of production.

The Honourable Sir Muhammad Zafrullah Khan: Certain figures have been cited and, as I have said, we, on our side, are investigating that matter. We have not yet come to any conclusion inasmuch as our investigation is not yet complete. But when Honourable Members, on one side, say that Ceylon having lost its markets is selling its produce at whatever price it can get, the situation is, so far as Ceylon is concerned, the same as it is in the Malabar country and the other coconut areas in India.

After all, Ceylon is no more able than India to convert its coconut areas into rice areas or put them under some other crop. The main difficulty with regard to this commodity is that once land has been brought under coconut, it is almost next to impossible to re-convert it into ordinary cultivable land because it is not possible to take away coconut trees and lose all the capital and put the land to some other use. But with regard to the point on which I was, at any rate, with regard to the two aspects of dumping, there is not much evidence. I might supplement that by what has been represented to me on behalf of Ceylon during the course of this investigation. It is said:

"All copra is sold every day in Colombo at an open auction held under the aegis of the Ceylon Coconut Board which is a statutory body and the daily average price realised has to be published in the local press It is worth noting that for Ceylon copra there is only a daily selling price and that there is no market price so called. A miller from Bombay is thus unable to purchase his requirements at the previous day's price and is forced to bid in open auction on the following day, for the exportation of all copra not sold at the auctions is now legally prohibited. The price on a given day may thus be quite different from the previous day's quotations."

That may not altogether exclude dumping but it does show that when copra is sold in Ceylon, the prices ruling on any particular day are the same for Ceylon as they are for India. I am not seeking to argue from that that there is not considerable pressure from Ceylon as has been pointed out by Honourable Members. I was merely placing this consideration before them with regard to dumping. Then, it has been alleged that the Government of India have a soft corner in their hearts for Ceylon for some political reasons. I am not aware of any consideration whatsoever of a political

nature which would affect Government in a matter of this kind. The considerations that affect Government with regard to this matter are purely economic considerations. One Honourable Member has alluded to the question of the balance of trade between Ceylon and India. That certainly has to be taken into account and, I am afraid, it is not entirely disposed of by the observations that that Honourable Member made. There are other commodities which Ceylon takes in large quantities. For instance, there are cotton textiles in which there is a considerable trade with Ceylon. But as I said in the beginning, the whole of this matter is under investigation. It is not a continuation of the investigation which was made by Dr. Patel six or seven years ago; it is an investigation which was started as the result of representations made by the Madras Government, representations made by this deputation from Travancore and other representations that have been received from the areas affected, such as, Travancore, Cochin and Malabar. As a matter of fact, I found Mr. Changanacherry Paramesvaram Pillai—I do not know if I have been able to pronounce his name correctly—a very persistent advocate, an advocate who was familiar with the conditions and was able to explain the coconut growers' case with great clarity and reason to the Government of India. But the case was not complete. It was perhaps natural that the deputation were looking only on their own side of the picture. I explained to the deputation that if they could establish dumping and could substantiate some of the considerations that they had put forward by figures, they might be able to make out a case for relief. As Honourable Members are aware, the Government of India are committed, once the question of the Indo-British trade agreement is out of the way one way or the other, to take up certain questions with the Government of Ceylon. Those discussions will not be confined only to economic matters but will certainly be principally concerned with economic matters pending between the two countries and I know of no question out of those which have to be discussed on the economic and commercial side with Ceylon which is of more importance than this question of what is to be done about coconuts and copra. I realise not only the importance attached to it by Honourable Members but the very great importance which it has for the people of Malabar, Cochin and Travancore, whose main livelihood is derived from coconuts and copra. But it is not a matter merely of arithmetical calculations, that if the economic price is so much and Ceylon is selling at so much, then the duty should be the difference between the two prices, as was sought to be argued by the deputation that came up to see me last summer. One very essential consideration, for instance, which would require considerable investigation would be at what level of prices would there be serious danger of substitution from other oil seeds and oils in case the price of coconut and copra and coconut oil was artificially raised. There are a variety of oil seeds and oils from which there is risk of substitution, and all these questions are being looked into. One Honourable Member said that whenever we put a question to the Commerce Member, he says that he is still awaiting replies from Provincial Governments. With regard to that, the position is that the Provincial Governments concerned as well as certain State Governments were addressed and certain information was asked for from them. We have now received information from three out of the four Governments concerned and are awaiting information from the fourth Government. We have already sent them two reminders and I am anxious that the Government of India should not only complete their case before they take up conversations with Ceylon but that

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the interests concerned should also have their case complete. In the meantime, the interests concerned should complete their figures on certain points and send them up to the Government of India because, as the House is aware, we are hoping that the Indo-British matter will soon be settled and it will then be possible to begin our conversations with Ceylon which might secure relief to those large areas and large populations which depend so largely upon coconuts.

Prof. N. G. Banga: Are we to understand that until these negotiations between the Ceylon Government and the Government of India are over, it is not contemplated by the Government of India to afford any relief to the coconut growers?

The Honourable Sir Muhammad Zafrullah Khan: A time limit has been fixed within which every effort must be made to bring the conversations between the Ceylon Government and the Government of India to a conclusion and it is a very short one. Therefore, there is no danger that the conversations between the two countries will be continued for an indefinite time. If any relief is to be secured as a result of these negotiations, the Honourable Member need have no apprehension that the time taken over that will be prolonged.

Mr. Chairman (Mr. S. Satyamurti): The question is:

"That the demand under the head 'Commerce Department' be reduced by Rs. 100."
The motion was adopted.

DEMAND No. 15.—HOME DEPARTMENT.

The Honourable Sir James Grigg (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 8,37,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of the 'Home Department'."

Mr. Chairman (Mr. S. Satyamurti): Motion moved:

"That a sum not exceeding Rs. 8,37,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of the 'Home Department'."

State Prisoners detained without Trial.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the demand under the head 'Home Department' be reduced by Rs. 100."
—(To discuss the question of State Prisoners detained without trial).

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Sir, I have very little time for discussing this motion at length, and so I shall briefly give the facts relating to the three State Prisoners about whom you have read in the papers. Their names are Jwala Prasad

Sharma, Bhawani Sahai Sharma and Vaishampayana. As a matter of fact, there are other State Prisoners who have been detained under Regulation III of 1818, but I do not want to refer to their cases. These three prisoners are young men. One of them was born in 1909, the second in 1910 and the third in 1911. One of them has been detained since August 1939, the other one since April 1932, and the third since August 1935. So the periods for which they have been under detention vary from nearly four years to six or seven years. Two of them were placed before a Court and they were discharged for want of sufficient evidence. They have been under detention in spite of acquittal since then. Now, as Honourable Members are aware, they were offered conditional release in November last and the conditions were:

"That he will not directly or indirectly associate himself with any violent method in politics or with any organisation which has violence as its object;"

"That Bhawani Sahai will not enter the Punjab or Delhi province without the written permission of Provincial Government or the Chief Commissioner respectively;"

"That Vaishampayana will not enter the Punjab, Bombay Presidency or Delhi province without the written permission of Provincial Governments or the Chief Commissioner concerned;"

"That Jwala Prasad will not enter the Delhi province without the permission of the Chief Commissioner."

Bhawani Sahai belongs to the Alwar State and he was receiving his education in Delhi. Vaishampayana belongs to Jhansi in U. P., and he was arrested in Delhi, and Jwala Prasad was reading at Ajmer when he was arrested while he was yet a student in the college.

Mr. President (The Honourable Sir Abdur Rahim): When were these imprisoned?

Mr. Mohan Lal Saksena: In 1932, 1933 and 1935.

Mr. President (The Honourable Sir Abdur Rahim): Can he then bring up the cases of these individual prisoners on a cut motion relating to the present budget?

Mr. Mohan Lal Saksena: They are still in prison without trial. I am discussing the policy of the Government in detaining these prisoners without trial. There was an offer of conditional release as I have said just now in November last. I am citing their case as illustration for condemning the policy in regard to State Prisoners in general.

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member now discussing the general policy or only the individual cases of these three State Prisoners?

Mr. Mohan Lal Saksena: I am discussing the general policy of the Government, and I want the House to condemn the Government for that, and, by way of illustration, I am taking up the case of these three prisoners, because there is no time for me to take up the case of other prisoners.

The Honourable Sir Reginald Maxwell (Home Member): On a point of order, Sir. These are the only three prisoners detained under the orders of the Home Department. The cut motion relates to the demand

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under the 'Home Department', He cannot take into account the case of prisoners who are detained under any other authority except that of the Home Department. If these are the only three prisoners in question, then the Honourable Member cannot raise it as a matter of general policy.

Mr. President (The Honourable Sir Abdur Rahim): The Chair should say that he is entitled to discuss the question of policy of a general nature and illustrate his points by referring to individual cases.

Mr. Mohan Lal Saksena: Even the Honourable Sir Henry Craik, when he was the Home Member, admitted that this policy of detention without trial was very odious. At that time, he only said that by releasing these detenus all at once, the terrorist movement may get impetus. But since then conditions have changed greatly. Every single prisoner who was detained in Bengal without trial has been released and even in the case of these three prisoners, the Government are prepared to release them on their giving certain undertaking. The point is where is the necessity of obtaining any undertaking. It was said that the prisoners in other provinces had given assurance to that effect to the Congress Governments. In the case of political prisoners duly convicted there is some force in asking them to give an undertaking that they will not participate in particular forms of activities, because they have had a trial before Courts of law and, after conviction, there is a sentence which they have to serve, and if the Government let them off, after securing an undertaking, they can be sent back to jail if they committed a breach of it. In the case of prisoners who have been detained without trial, who have not been acquainted even with the nature of the charge notwithstanding their repeated requests, I do not think there is any point in obtaining any assurance from them. Even if the object of the Government were to find out whether their views have changed, I think the mere fact that they refuse to give the undertaking and obtain their release by giving such an undertaking shows that they are not revolutionaries. Because, any revolutionary would jump at the opportunity and would like to come out of jail by giving an undertaking in as much even if they committed a breach Government could not send them back to jail. So I want to know what is the reason why Government insists on obtaining this particular undertaking from these people. Then, the second point is that they want an undertaking that they will not enter particular provinces. Even free persons like our friend Prof. Ranga are served with notices like that and it is open to any Provincial Government to serve a notice on these persons when they have come out of jail and I am sure they will not defy that order. So far as these persons are concerned, in their letter to Mahatma Gandhi they have given an indication of their views. They have definitely said that they are averse to giving any undertaking while they are in jail.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can discuss the Government policy; the plea for release of any individual does not arise. The Honourable Member can say that the policy is bad.

Mr. Mohan Lal Saksena: So my submission is that at this stage there is no justification for Government to detain these persons in jail without trial. There might have been a time when there was a fear that the

witnesses might not be willing to come forward and give evidence because their lives would be in danger. But times have changed now, and I think the time has now come when Government should either release them or bring them to trial before an open Court. In any case, I want the House to censure the policy of Government in keeping these persons and others in jail without trial for such a long period.

Mr. President (The Honourable Sir Abdur Rahim): Strictly speaking, the Honourable Member's object seems to be to censure Government with respect to the detention of these State Prisoners. On a motion like this, he can only discuss the general policy of the Government of India as regards prisoners who are detained without trial. The Chair is putting the motion, but that must be taken to be the sense of the motion.

Cut motion moved:

"That the demand under the head 'Home Department' be reduced by Rs. 100."

Several Honourable Members: The question may now be put.

The Honourable Sir Reginald Maxwell: Sir, as there is no support for this cut motion on the other side of the House there is little perhaps that I need say. I should have expected that had this motion appealed generally to Honourable Members opposite there would have been many Honourable Members coming forward to champion the question of policy which is under discussion in this cut motion,—that of detaining persons without trial; but it appears that on an important question like this, which agitates the breast of Honourable Members like Mr. Saksena, and has long prompted him to put questions in this House, it has not inspired a single Member opposite to argue the question whether persons should be detained without trial or not. Therefore, I suppose, I must take it that the House, generally, does not particularly object to any general policy which may be represented in the detention of the three persons under discussion. That, Sir, compels me to allude to the cases of the three persons in question. As I have already explained, there are no other illustrations in existence of this reprehensible policy of Government in detaining persons without trial, at any rate so far as the reasons connected with the Home Department are concerned. The Honourable Member has correctly mentioned the names of the three persons who are at present under detention under Regulation III of 1818. I might mention for the information of the House that only one of these hails from any British district. One of them hails from the Alwar State; another was originally a resident of the Gwalior State. So these persons came originally from the States in which they were domiciled, in order to prosecute their ends in a province under British administration; and, as a matter of fact, their activities ranged through several provinces of Northern India. I am not going to be diverted into giving details of the reasons for which it was necessary for Government to make these persons State Prisoners, because, in the first place, it is impossible that this House on a motion of this kind should constitute itself into a tribunal for the review of all the evidence which we possess against them. I myself have seen that evidence collected together; it is enough to daunt the bravest, both in volume and character. But the only point which I am concerned with or need be concerned with, in replying to this motion, is

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that that evidence was in all these cases, as usual, placed before two independent judges for review, and in each case those judges after going through this voluminous evidence came to the conclusion that a case was made out in which it was necessary that these persons should be deprived of their liberty.

An Honourable Member: Bring them to trial then.

The Honourable Sir Reginald Maxwell: They could not be tried in open Court, because, in cases where persons suspected of complicity in terrorist conspiracies are involved, it is not usual to try them in open Court.

Mr. Mohan Lal Saksena: Two of them were tried and discharged.

The Honourable Sir Reginald Maxwell: Not for the particular reasons for which they are detained.

Mr. Mohan Lal Saksena: They were arrested immediately afterwards.

The Honourable Sir Reginald Maxwell: These persons cannot be tried in open court. There are various reasons of which the House is probably aware, why it is not always easy to obtain witnesses and to place their evidence before the open Court in circumstances in which their identity would be disclosed. Persons suspected of sympathy with terrorists, as we all know, have an unpleasant habit sometimes of dealing with persons who give evidence against them in open Court. And for that reason this system has grown up in which, when it is considered that for reasons of that kind a person should be deprived of his liberty, the evidence against him is collected together and placed before two judges who review the case in the same way and from the same standards that they would review it if it were brought before them in court. Therefore, as a matter of general policy, I submit, that there is nothing calling for censure in the action which Government have taken in these three cases. And so far as these cases themselves are concerned, if it is the object of Honourable Members opposite to represent that these persons ought not to be detained further without trial, all I can say is that for several months past Government themselves have been doing their best to release them and the prisoners have not so far proved amenable to release.

(It being Five of the Clock.)

DEMAND No. 1—CUSTOMS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 79,07,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Customs.’”

The motion was adopted.

DEMAND NO. 2—CENTRAL EXCISE DUTIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 8,17,600 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Central Excise Duties'."

The motion was adopted.

DEMAND NO. 3—TAXES OF INCOME INCLUDING CORPORATION TAX.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 76,34,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Taxes on Income including Corporation Tax'."

The motion was adopted.

DEMAND NO. 4—SALT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 58,42,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940 in respect of 'Salt'."

The motion was adopted.

DEMAND NO. 5—OPIUM.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 24,21,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Opium'."

The motion was adopted.

DEMAND NO. 6—PROVINCIAL EXCISE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,58,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Provincial Excise'."

The motion was adopted.

DEMAND NO. 7—STAMPS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 15,56,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Stamps'."

The motion was adopted.

DEMAND NO. 8—FOREST.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 5,77,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Forest'."

The motion was adopted.

DEMAND NO. 9—IRRIGATION (INCLUDING WORKING EXPENSES), NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,96,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works'."

The motion was adopted.

DEMAND NO. 10—INDIAN POSTS AND TELEGRAPHS DEPARTMENT (INCLUDING WORKING EXPENSES).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rs. 10,73,72,900 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Indian Posts and Telegraphs Department (including Working Expenses)'."

The motion was adopted.

DEMAND NO. 11—INTEREST ON DEBT AND OTHER OBLIGATIONS AND REDUCTION OR AVOIDANCE OF DEBT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 23,92,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Interest on Debt and Other Obligations and Reduction or Avoidance of Debt'."

The motion was adopted.

DEMAND NO. 12—EXECUTIVE COUNCIL.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rs. 1,18,800 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Executive Council'."

The motion was adopted.

DEMAND NO. 13—COUNCIL OF STATE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,23,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Council of State'."

The motion was adopted.

DEMAND NO. 14—LEGISLATIVE ASSEMBLY AND LEGISLATIVE ASSEMBLY DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 8,21,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Legislative Assembly and Legislative Assembly Department'."

The motion was adopted.

DEMAND No. 15—HOME DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 8,37,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Home Department’.”

The motion was adopted.

DEMAND No. 16—LEGISLATIVE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 3,92,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Legislative Department’.”

The motion was adopted.

DEMAND No. 17—DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a reduced sum not exceeding Rs. 6,11,900 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Department of Education, Health and Lands’.”

The motion was adopted.

DEMAND No. 18—FINANCE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 5,83,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Finance Department’.”

The motion was adopted.

DEMAND No. 19—COMMERCE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a reduced sum not exceeding Rs. 4,39,900 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Commerce Department’.”

The motion was adopted.

DEMAND No. 20—DEPARTMENT OF LABOUR.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 4,64,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Department of Labour’.”

The motion was adopted.

DEMAND No. 21—DEPARTMENT OF COMMUNICATIONS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 2,04,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Department of Communications’.”

The motion was adopted.

DEMAND No. 22—CENTRAL BOARD OF REVENUE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,72,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Central Board of Revenue'."

The motion was adopted.

DEMAND No. 23—INDIA OFFICE AND HIGH COMMISSIONER'S ESTABLISHMENT CHARGES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 16,24,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'India Office and High Commissioner's Establishment Charges'."

The motion was adopted.

DEMAND No. 24—PAYMENTS TO OTHER GOVERNMENTS, DEPARTMENTS, ETC., ON ACCOUNT OF SERVICES RENDERED.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,10,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Payments to Other Governments, Departments, etc., on account of Services rendered'."

The motion was adopted.

DEMAND No. 25—AUDIT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 90,12,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Audit'."

The motion was adopted.

DEMAND No. 26—ADMINISTRATION OF JUSTICE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 88,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Administration of Justice'."

The motion was adopted.

DEMAND No. 27—POLICE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,57,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Police'."

The motion was adopted.

DEMAND No. 28—PORTS AND PILOTAGE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 13,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Ports and Pilotage'."

The motion was adopted.

DEMAND No. 29—LIGHTHOUSES AND LIGHTSHIPS.

Mr. President: (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 9,13,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Lighthouses and Lightships'."

The motion was adopted.

DEMAND No. 30—SURVEY OF INDIA.

Mr. President: (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 16,05,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Survey of India'."

The motion was adopted.

DEMAND No. 31—METEOROLOGY.

Mr. President: (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 19,93,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Meteorology'."

The motion was adopted.

DEMAND No. 32—GEOLOGICAL SURVEY.

Mr. President: (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,63,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Geological Survey'."

The motion was adopted.

DEMAND No. 33—BOTANICAL SURVEY.

Mr. President: (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 49,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Botanical Survey'."

The motion was adopted.

DEMAND No. 34—ZOOLOGICAL SURVEY.

Mr. President: (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,66,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Zoological Survey'."

The motion was adopted.

DEMAND No. 35—ARCHÆOLOGY.

Mr. President: (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 10,16,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Archæology'."

The motion was adopted.

DEMAND No. 36—MINES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,47,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Mines'."

The motion was adopted.

DEMAND No. 37—OTHER SCIENTIFIC DEPARTMENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Other Scientific Departments'."

The motion was adopted.

DEMAND No. 38—EDUCATION.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 6,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Education'."

The motion was adopted.

DEMAND No. 39—MEDICAL SERVICES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 6,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Medical Services'."

The motion was adopted.

DEMAND No. 40—PUBLIC HEALTH.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 8,41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Public Health'."

The motion was adopted.

DEMAND No. 41—AGRICULTURE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 28,91,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Agriculture'."

The motion was adopted.

DEMAND No. 42—IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 7,01,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Imperial Council of Agricultural Research'."

The motion was adopted.

DEMAND No. 43—SCHEME FOR THE IMPROVEMENT OF AGRICULTURAL MARKETING IN INDIA.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,49,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Scheme for the Improvement of Agricultural Marketing in India'."

The motion was adopted.

DEMAND No. 44—IMPERIAL INSTITUTE OF SUGAR TECHNOLOGY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Imperial Institute of Sugar Technology'."

The motion was adopted.

DEMAND No. 45—CIVIL VETERINARY SERVICES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 7,29,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Civil Veterinary Services'."

The motion was adopted.

DEMAND No. 46—INDUSTRIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 8,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Industries'."

The motion was adopted.

DEMAND No. 47—AVIATION.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 39,54,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Aviation'."

The motion was adopted.

DEMAND No. 48—CAPITAL OUTLAY ON CIVIL AVIATION CHARGED TO REVENUE

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Capital Outlay on Civil Aviation charged to Revenue'."

The motion was adopted.

DEMAND No. 49—BROADCASTING.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 25,96,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Broadcasting'."

The motion was adopted.

DEMAND NO. 50—CAPITAL OUTLAY ON BROADCASTING.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Capital Outlay on Broadcasting'."

The motion was adopted.

DEMAND NO. 51—INDIAN STORES DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 21,16,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Indian Stores Department'."

The motion was adopted.

DEMAND NO. 52—COMMERCIAL INTELLIGENCE AND STATISTICS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 7,38,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Commercial Intelligence and Statistics'."

The motion was adopted.

DEMAND NO. 53—CENSUS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 42,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Census'."

The motion was adopted.

DEMAND NO. 54—EMIGRATION—INTERNAL.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Emigration—Internal'."

The motion was adopted.

DEMAND NO. 55—EMIGRATION—EXTERNAL.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Emigration—External'."

The motion was adopted.

DEMAND NO. 56—JOINT STOCK COMPANIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,58,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Joint Stock Companies'."

The motion was adopted.

DEMAND NO. 57—MISCELLANEOUS DEPARTMENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,76,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Miscellaneous Departments'."

The motion was adopted.

DEMAND NO. 58—CURRENCY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 11,59,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Currency'."

The motion was adopted.

DEMAND NO. 59—MINT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 21,02,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Mint'."

The motion was adopted.

DEMAND NO. 60—CIVIL WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 71,74,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Civil Works'."

The motion was adopted.

DEMAND NO. 61—CENTRAL ROAD FUND.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,61,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Central Road Fund'."

The motion was adopted.

DEMAND NO. 62—SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,10,13,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Superannuation Allowances and Pensions'."

The motion was adopted.

DEMAND NO. 68—STATIONERY AND PRINTING.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 47,74,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Stationery and Printing'."

The motion was adopted.

DEMAND No. 64—MISCELLANEOUS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Miscellaneous'."

The motion was adopted.

DEMAND No. 65—GRANTS-IN-AID TO PROVINCIAL GOVERNMENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,16,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Grants-in-aid to Provincial Governments'."

The motion was adopted.

DEMAND No. 66—MISCELLANEOUS ADJUSTMENTS BETWEEN THE CENTRAL AND PROVINCIAL GOVERNMENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,62,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Miscellaneous Adjustments between the Central and Provincial Governments'."

The motion was adopted.

DEMAND No. 67—EXPENDITURE ON RETRENCHED PERSONNEL CHARGED TO REVENUE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 5,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Expenditure on Retrenched Personnel charged to Revenue'."

The motion was adopted.

DEMAND No. 68—DELHI.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 48,08,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Delhi'."

The motion was adopted.

DEMAND No. 69—AJMER-MERWARA.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 16,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of 'Ajmer-Merwara'."

The motion was adopted.

DEMAND No. 70—PANTH PIPLODA.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 13,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Panth Piploda.’”

The motion was adopted.

DEMAND No. 71—ANDAMAN AND NICOBAR ISLANDS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 35,60,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Andamans and Nicobar Islands.’”

The motion was adopted.

DEMAND No. 72—INDIAN POSTS AND TELEGRAPHS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 18,34,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Indian Posts and Telegraphs.’”

The motion was adopted.

DEMAND No. 73—INDIAN POSTS AND TELEGRAPHS—STORES SUSPENSE (NOT CHARGED TO REVENUE).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Indian Posts and Telegraphs—Stores Suspense (not charged to Revenue).’”

The motion was adopted.

DEMAND No. 74—INDIAN POSTS AND TELEGRAPHS—CAPITAL OUTLAY ON TELEPHONE PROJECTS (NOT CHARGED TO REVENUE).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Indian Posts and Telegraphs—Capital Outlay on Telephone Projects (not charged to Revenue).’”

The motion was adopted.

DEMAND No. 75—CAPITAL OUTLAY ON VIZAGAPATAM HARBOUR.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 9,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Capital Outlay on Vizagapatam Harbour.’”

The motion was adopted.

DEMAND No. 76—DELHI CAPITAL OUTLAY.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 7,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Delhi Capital Outlay’.”

The motion was adopted.

DEMAND No. 77—COMMUTED VALUE OF PENSIONS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Commuted Value of Pensions’.”

The motion was adopted.

DEMAND No. 78—INTEREST-FREE ADVANCES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 36,67,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Interest-free Advances’.”

The motion was adopted.

DEMAND No. 79—LOANS AND ADVANCES BEARING INTEREST.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That a sum not exceeding Rs. 59,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1940, in respect of ‘Loans and Advances bearing Interest’.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 17th March, 1939.