

7th February 1940

THE

LEGISLATIVE ASSEMBLY DEBATES

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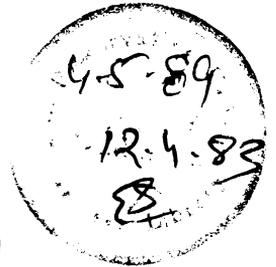
(6th February to 5th March, 1940)

ELEVENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1940



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M2LAD

Legislative Assembly.

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THE HONOURABLE SIR ABDUR RAHIM, K.C.S.I.

Deputy President :

MR. AKHIL CHANDRA DATTA, M.L.A.

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Assistants of the Secretary :

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KHAN SAHIB S. G. HASNAIN.

Marshal :

CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions :

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MR. A. AIKMAN, C.I.E., M.L.A.

SYED GHULAM BHIK NAIRANG, M.L.A.

MR. N. M. JOSHI, M.L.A.

SIR ABDUL HALIM GHUZHNAVY, M.L.A.

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LEGISLATIVE ASSEMBLY

Wednesday, 7th February, 1940.

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.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

MONUMENTS IN SIND

12. *Mr. Lalchand Navalrai: (a) Will the Secretary for Education, Health and Lands be pleased to place on the table of the House a list of protected monuments and also a list of unprotected monuments in Sind which are of archæological and historical interest?

(b) Are there any British monuments protected in Sind like those in the United Provinces?

(c) If so, does he propose to place on the table a list thereof?

(d) Are Government aware that there is a very ancient monument called 'Tajar' in Tajar Baugh at Larkana, now called 'Rijhu' garden, which is painted in colours of ancient type? If so, are Government prepared to bring it on the list of protected ancient buildings of archæological and historical interest? If not, why not?

Sir Girja Shankar Bajpai: (a) A list of protected monuments in Sind is placed on the table of the House. No complete or authoritative list of unprotected monuments is available.

(b) No.

(c) Does not arise.

(d) The monument in question is reported to be an eighteenth century construction of no architectural importance or historical significance. The few traces of painting in the building are of no particular merit. Government do not, therefore, propose to declare it a protected monument under the Ancient Monuments Preservation Act.

List of protected ancient monuments in Sind.

Serial No.	District (Revenue)	Locality.	Name of monument.
1	Hyderabad	Hyderabad	Tomb of Gulam Shah Kalhora.
2	Do.	Do.	Tomb of Gulam Nabi Khan Kalhora.
3	Do.	Do.	Tomb of Sarfaraz Khan Kalhora.
4	Do.	Do.	Harem of (Talpur) Mirs in the Hyderabad Fort.
5	Do.	Badin	Ruins of old city at Badin (Southern half of No. 59.)
6	Do.	(Gaja) a few miles from Tando Muhammad Khan.	Buddhist stupas.
7	Do.	Do.	Two enclosures containing tombs of Talpur Mirs.
8	Nawabahah	Village Mir Rukan	Thul or Buddhist stupas.
9	Do.	Deh of village Nur Mohammad (about 7 miles off Daulatpur.)	Tomb of Nur Muhammad Kalhora.
10	Do.	Shahpur	Kuba Mir Shahaded.
11	Karachi	Tatta	Dabgir masjid.
12	Do.	Do.	Jami Masjid.
13	Do.	Do.	Jam Nizamuddin's tomb.
14	Do.	Do.	Baradari.
15	Do.	Do.	Nawab Amir Khalil Khan's tomb.
16	Do.	Do.	Nawab Isakhana's tomb.
17	Do.	Do.	Nawab Surfa Khan's tomb.
18	Do.	Do.	Tughral Beg's tomb.
19	Do.	Do.	Mirza Jani Beg's tomb.
20	Do.	Do.	Tombs of Zenana of Nawab Isakhan.
21	Do.	Do.	Mirza Isakhan's tomb.
22	Do.	Do.	Kalan Kot.
23	Do.	Mirpur Sakro (Bhambor).	Sasuin-jo-Takar.
24	Do.	Do.	Jam Bijar fort.
25	Do.	Tatta	(1) Stone tomb with a dome on stone pillars by the side of Mirza Jani Beg's tomb.
26	Do.	Do.	(2) Brick masjid and enclosures near Nawab Surfa Khan's tomb, supposed to be the tomb of Sayad Amir Khan.
27	Do.	Do.	(3) Large brick dome near Khalil Khan's tomb.

Serial No.	District (Revenue)	Locality.	Name of monument.
28	Karachi . . .	Tatta . . .	(4) Stone tomb with enclosure to the south of Mirza Isakhan's tomb.
29	Do. . . .	Do. . . .	(5) Tomb with enclosure to the north of Mirza Isakhan's tomb.
30	Do. . . .	Do. . . .	(6) Brick tomb near the tomb of Aulia Pir.
31	Do. . . .	Do. . . .	(7) Tomb with superstructure on stone pillars to the north of the tomb of Jam Nizam-ud-din.
32	Do. . . .	Do. . . .	(8) Brick structure to the north of the tomb of Jam Nizam-ud-din.
33	Do. . . .	Do. . . .	(9) & (10) Two pavilions on stone pillars over tombs to the south-west of tomb of Jam Nizam-ud-din.
34	Do. . . .	Do. . . .	(11) Tomb of Mubarak Khan, son of Jam Nizam-ud-din to the west of No. 9.
35	Do. . . .	Do. . . .	(12) Brick dome to the north of the tomb of Mubarak Khan.
36	Do. . . .	Do. . . .	(13) Tomb and compound wall of yellow stone at a distance from and to the south of the tomb of Jam Nizam-ud-din.
37	Do. . . .	Do. . . .	(14) Tomb and enclosure to the south-west of No. 13.
38	Do. . . .	Do. . . .	(15) Tomb and enclosure to the west of No. 14.
39	Do. . . .	Do. . . .	(16) Brick dome to the south of No. 15.
40	Do. . . .	Do. . . .	(17) Tomb and compound wall of yellow stone to the south of No. 16.
41	Do. . . .	Between Landi and Sanro.	Chaukhandi tomb.
42	Do. . . .	Khudabad . . .	Tomb of Yar Muhammad Khan Kalhora (and its adjoining masjid.)
43	Do. . . .	Do. . . .	Jumma masjid.
44	Do. . . .	Sehwan . . .	The fort.
45	Larkana . . .	Mitho-daro . . .	Jhukar mound.
46	Do. . . .	Near Dhamraho . . .	Square tower.
47	Do. . . .	Deh Dhamraho . . .	Three groups of mounds known as Dhamraho Dero.
48	Do. . . .	Larkana . . .	Tomb of Shah Baharo.
49	Sukkur . . .	Rohri . . .	Shrine known as Satyan-jo-than.
50	Do. . . .	Sukkur . . .	Mir Masum's minars.
51	Thar & Parker	Mirpurkhas S. No. 7.	The main Buddhist stupa 150' x 150' square piece of land with various other small votive stupas, rooms, platforms, 239' x 150' x 195' triangular piece of land.
52	Do. . . .	Bhodesar . . .	A stone mosque with white marble pillars.
53	Do. . . .	Do. . . .	Temple I.
54	Do. . . .	Do. . . .	Temple II.

Serial No.	District (Revenue)	Locality.	Name of monument.
55	Thar & Parkar.	Bhodesar .	Temple IV.
56	Do. . . .	Virawah .	Jain temple.
57	Do. . . .	Naokot .	Fort.
58	Do. . . .	Umarkot .	Fort.

Mr. Lalchand Navalrai: Will the Honourable Member ask the Provincial Government to find out those monuments which require protection?

Sir Girja Shankar Bajpai: I do not think it is necessary to do that, because our Superintendent in charge of that Circle is on the look out for monuments which deserve protection.

Mr. Lalchand Navalrai: Does he make a report every year as to the monuments which should be protected?

Sir Girja Shankar Bajpai: That is part of his business.

Dr. Sir Ziauddin Ahmad: Is it done all over India, and not in Sind alone?

Sir Girja Shankar Bajpai: Yes, Sir.

MONUMENT CALLED "SHAH BAHARO" NEAR LARKANA IN SIND.

13. *Mr. Lalchand Navalrai: Will the Education Secretary be pleased to state if a monument called "Shah Baharo", near Larkana, has been put on the protected list? If so, why has its repair been delayed? and when is it likely to be taken in hand?

Sir Girja Shankar Bajpai: The tomb of "Shah Baharo" was notified as a protected monument in July, 1939. Steps are being taken for its conservation, and the repairs will be executed as early as practicable in the new financial year.

Mr. Lalchand Navalrai: May I know when that is going to be, as it has waited very long?

Sir Girja Shankar Bajpai: It has not waited very long. . Actually it was only in November that the *mutwali* signed an agreement making over the monument to Government.

IMPORT OF UNLICENSED RUBBER FROM BURMA.

14. *Mr. F. E. James: Will the Honourable Member for Commerce and Labour be pleased to state :

- (a) whether, in spite of the provisions of the International Rubber Regulation Agreement, whereby an increased quota is allotted to Burma in the event of unlicensed rubber from Burma to India being prohibited, unlicensed rubber is still being imported into India from Burma;
- (b) if representations from the rubber producers of South India have been received recommending the prohibition of unlicensed imports of rubber from Burma;
- (c) what are difficulties in the way of the imposition of such a prohibition by the Government of India; and
- (d) what steps are being taken to overcome these difficulties?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) The provisions of the Agreement referred to by the Honourable Member enable Burma to claim an addition of 3,000 tons to her basic quota in the event of her exports of unlicensed rubber to India being absolutely prohibited. They do not *require* that imports of such rubber into India should be prohibited, nor has any such prohibition been imposed.

(b) Yes.

(c) Any such action would be contrary to the terms of the India and Burma (Trade Regulation) Order, 1937.

(d) Government have under active consideration, in consultation with the authorities concerned, the question of the feasibility of suitably amending the Trade Regulation Order.

COMPULSORY NATIONAL SERVICE FOR EUROPEAN BRITISH SUBJECTS IN INDIA.

15. *Mr. F. E. James: Will the Honourable the Leader of the House be pleased to state :

- (a) whether his attention has been drawn to the resolution which was passed by the All-India Council of the European Association in December, 1939, which reads as follows :

"The Council urges the early introduction of compulsory National Service for European British subjects in India so that they may be on the same basis as Britons elsewhere in the Empire and in order that the incidence of National Service may be equitably distributed amongst them."
and

- (b) when the necessary ordinance will be promulgated which will render liable for national service all European British subjects in India between the ages of 16 and 50 and give statutory recognition to the National Service Advisory Committees which have already been set up in consultation with the Defence Co-ordination Department and are functioning on a voluntary basis?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) The matter is under consideration and an early decision is hoped for.

Maulvi Abdur Rashid Chaudhury: With reference to part (b) of the question, may I know whether any Ordinance is going to be promulgated rendering liable for national service all Indians between the ages of 16 and 50?

The Honourable Sir Muhammad Zafrullah Khan: That does not arise out of this question.

DEVELOPMENT OF THE RESOURCES OF INDIA TO MEET WAR SUPPLY REQUIREMENTS.

16. ***Mr. F. E. James:** Will the Honourable the Leader of the House be pleased to state what active steps are being taken to develop the resources of India so as to meet war supply requirements, more especially with regard to the supply of chemicals essential for industry and hitherto imported into this country?

The Honourable Sir Muhammad Zafrullah Khan: The War Supply Board is concerned only with developing and safeguarding the position with regard to industries that are or may be concerned with supplies needed for the prosecution of the war. In that capacity they have, in collaboration with leading industrialists, arranged for the production of various specifications of jute and cotton textiles not ordinarily made in India, and have taken steps to expand the production of the woollen industry. The manufacture of new kinds of steel, of barbed wire and of copper is being encouraged and investigations are being carried out for the production or expansion of the production of aluminium, and of various dyestuffs and heavy chemicals required for war supplies. At all stages assistance is being given to firms to secure the raw materials, machinery or personnel essential to the development of war industries. A great expansion in the scope of the Ordnance Factories, both in total output and in the variety of their products, is being carried out, and the co-operation of the railway workshops and of civil engineering industry is being secured. With regard to the particular question of chemicals, to which the Honourable Member has referred, the position is that so far as the heavy chemicals required in the production of war supplies is concerned, the Supply Department is working in active co-operation with Imperial Chemical Industries (India) to ensure a continuance of supplies from abroad in cases where they cannot be made available from indigenous sources. From the purely war supply point of view, it is usually impracticable to neglect the securing of such supplies by importation in favour of the erection of extensive plant in India because the latter would probably not come into production during the war.

2. Regarding other chemicals required for the promotion of industries not directly concerned with war supply, but which present opportunities for development owing to war conditions, the position is that their development is primarily a responsibility of the Provincial Governments. The question of the extent to which assistance can be given and advantage taken of the present position is, however, under the consideration of the Honourable the Commerce Member, as a result of discussions at the last Industries Conference.

EFFECT OF THE LAND PURCHASE BILL ON INDIANS IN BURMA.

17. ***Sir Abdul Halim Ghuznavi**: Will the Secretary for Education, Health and Lands be pleased to state:

- (a) whether the Government of India were consulted by the Government of Burma about the Land Purchase Bill which was introduced in the Burma House of Representatives on the 29th August last;
- (b) whether Indian interests were consulted in the matter;
- (c) whether any inquiry was made as to how Indian owners of land in Burma will be affected;
- (d) whether Government are aware that apprehensions are felt that, under the guise of working the Act, steps will be taken to acquire lands owned by Indian land-owners;
- (e) whether the Government of India have made representations to the Government of Burma with a view to safeguarding the interests of Indian land-owners;
- (f) whether Government are aware that there is considerable dissatisfaction about the method of computing and granting compensation proposed in the Bill;
- (g) whether they are aware that in the Bill it is proposed to oust the jurisdiction of the Civil Court in regard to land purchase proceedings;
- (h) whether the Government of India have made representations with a view to modifying the provisions in conformity with public opinion in the matter;
- (i) whether the Government of India have considered that the Land Purchase Bill is likely to disturb the trade relations between the two countries;
- (j) whether they propose to suggest the postponement of such a measure till the question of trade relations is discussed, in the very near future; and
- (k) whether the Government of India are prepared to recommend a thorough examination of the position by a representative committee of Indians and Burmans before launching legislation?

Sir Girja Shankar Bajpai: (a) The Government of India were not consulted by the Government of Burma before the Bill was published, but arrangements have been made for their views to be placed before the Government of Burma through their Agent.

(b) The Government of Burma have taken steps to ascertain Indian opinion in Burma.

(c) This will doubtless be brought out in the consultations that have been set afoot. To the knowledge of the Government of India, the only recent inquiry into the land question was by the Burma Riots Inquiry Commission which found that half the agricultural land in lower Burma

is occupied by non-agriculturists and in the 13 principal rice growing districts of Lower Burma, 25 per cent. of the land was held by the Chettiar community in 1937.

(d) Yes.

(e) to (h). Yes.

(i) The question calls for an expression of opinion.

(j) No.

(k) The Bill has already been referred to a Select Committee and also circulated for eliciting opinion which the Government of Burma propose to place before the Select Committee. The suggestion for an *ad hoc* committee of the kind recommended by the Honourable Member appears to be too late now.

Dr. Sir Ziauddin Ahmad: With reference to part (i) of the question, may I ask whether the Government of India communicated to the Government of Burma the view that such a Bill would create great agitation among the Indians in Burma?

Sir Girja Shankar Bajpai: I am quite sure that it is the possibility of Indian adverse reactions to the Bill which has led the Government of Burma to circulate the Bill to the interests concerned for an expression of their opinion.

Dr. Sir Ziauddin Ahmad: But did the Government of India convey to the Government of Burma the feelings of the Indians on this point?

Sir Girja Shankar Bajpai: The Government of India have placed before the Government of Burma those points, and placed them with arguments, on which the Indian community in Burma feels strongly.

APPOINTMENT OF A PUBLICITY OFFICER FOR THE SUPPLY DEPARTMENT.

18. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable the Leader of the House please state whether the Government of India recently appointed a Publicity Officer in connection with the Supply Department?

(b) Was the sanction of the Finance Department obtained for such appointment?

(c) Did the Government of India, before making the appointment, consider the question of utilising the services of the Publicity Information Bureau for this purpose?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

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

†19*.

† This question has been postponed to be answered on the 13th March, 1940.

**SUMMARY OF CONVERSATIONS OF THE LEADER OF THE HOUSE WITH
BRITISH OFFICIALS RE WAR, ETC.**

20. *Dr. Sir Ziauddin Ahmad: Will the Honourable the Leader of the House lay a statement on the table of the House or make a statement in the House on such date as may be convenient to Government about his experience as delegate to the Conference of Members of the Dominions and India and a summary of his conversations with British officials, to the extent they are not of a confidential nature, in connection with the war, and the contemplated constitutional changes, if any?

The Honourable Sir Muhammad Zafrullah Khan: I do not think it would be in the public interest to make any such statement or to lay it on the table as the conversations were of a confidential nature.

REPORT OF SIR LEONARD WOOLLEY ON ARCHÆOLOGY.

21. *Dr. Sir Ziauddin Ahmad: (a) Does the Education Secretary propose to circulate among the Members of the Legislative Assembly the report of Sir Leonard Woolley on Archæology?

(b) Do Government propose to assign some time for the discussion of the report?

Sir Girja Shankar Bajpai: (a) Copies of the report have been placed in the Library of the House.

(b) No.

Dr. Sir Ziauddin Ahmad: As the time fixed for the budget has been curtailed from five days to three, what opportunity will we have of discussing it?

Sir Girja Shankar Bajpai: I am not in a position to say whether my Honourable friend would be able to raise the issue of the report on the budget discussion, but, as he is aware, there are three days allotted for Resolutions, and it is open to him to table a Resolution, of which I have not seen very many so far.

Mr. N. M. Joshi: Will the Honourable Member circulate the report to the Members of the Assembly?

Sir Girja Shankar Bajpai: The report is of a somewhat technical nature, but I shall be happy to supply copies to any Honourable Members who are interested.

Mr. N. M. Joshi: May I suggest that a copy should be sent to me?

Sir Girja Shankar Bajpai: I will hand it over to him now.

Dr. Sir Ziauddin Ahmad: I will also want a copy.

Sir Girja Shankar Bajpai: I will send one to my Honourable friend.

PROCEEDINGS OF THE LABOUR CONFERENCE AND THE PRICE CONTROL CONFERENCE.

22. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Commerce Member be pleased to lay on the table of the House the proceedings of the Labour Conference and the Price Control Conference, held in Delhi in the last week of January, 1940?

(b) What are the main recommendations of the Conference? What action, if any, do Government propose to take on such recommendations?

(c) Was the Conference attended by persons other than the officials of the Provincial and the Central Governments?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: As regards the Labour Conference, the replies are :

(a) The proceedings are now being printed. They will be published as a Bulletin of Indian Industries and Labour, and copies will be placed in the Library of the House in due course.

(b) I would refer the Honourable Member to the Bulletin to which I have referred and which is expected to be published in the near future. The recommendations of the Conference will be examined in due course.

(c) Yes, by representatives of the Governments of Gwalior and Baroda.

As regards, the Second Price Control Conference, the replies are :

(a) and (b). The proceedings were confidential in character, but I shall be prepared to lay on the table of the House the conclusions of the Government of India on the recommendations made by the Conference, along with the recommendations themselves, after Government have reached final decisions on them.

(c) The Conference was attended also by representatives of certain Indian States, but not by any non-officials.

Mr. N. M. Joshi: Will the Honourable Member circulate the proceedings of the Labour Conference to Members of the Assembly?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It will be published in the Bulletin of Indian Industries and Labour.

Mr. N. M. Joshi: My point was that they should be circulated to Members of the Assembly.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall consider that.

Dr. Sir Ziauddin Ahmad: May I ask whether we will have a copy of the proceedings of both the Conferences—the Labour Conference as well as the Price Control Conference?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: I shall consider that.

CREATION OF A NEW POST OF CONSULTING ENGINEER IN THE CENTRAL PUBLIC WORKS DEPARTMENT.

23. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Labour Member be pleased to state whether Government is contemplating to create a new post of Consulting Engineer in the Central Public Works Department?

(b) What will be his salary, and for what period is he being appointed?

(c) Will the selection be made by the Public Service Commission after advertising the post?

(d) Has the sanction of the Finance Department been obtained for the creation of this new post?

(e) What will be the relation between the Consulting Architect and the Chief Engineer?

(f) Will his post be above or below the post of the Chief Engineer of the Central Public Works Department?

(g) What are the new buildings which are likely to be constructed during the financial year 1940-41 for which the appointment of the Consulting Engineer is considered to be necessary?

(h) Is the existing staff insufficient to cope with the work under consideration?

(i) Can the object be attained by increasing the cadre by one Executive Engineer?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) to (i). The Government of India are contemplating the creation of a temporary post of Consulting Engineer in the Central Public Works Department, but have not yet come to final conclusions. I would, therefore, request the Honourable Member, if he so desires, to repeat his question later in the Session.

THE PRESS AND REGISTRATION OF BOOKS (AMENDMENT) BILL

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I move:

“That the Bill further to amend the Press and Registration of Books Act, 1867, be circulated for the purpose of eliciting opinion thereon.”

I am making a very modest request that this Act which has been in existence very long now requires to be amended. We seem to be in a holiday mood today. The three Bills on the agenda before this Bill have gone off and not moved, and my Bill will not take very long. It is fortunate that my Bill has been taken up, but I am a little surprised as I did not know till now that the previous Bills would go off the list. I expected that the very first Bill would take the whole of today or even two days.

I shall request the House to help me and see what exactly I want.

An Honourable Member: No, no.

Mr. Lalchand Navalrai: You want the press to remain as it is? Many a time the Government have been assailed by that press which they gag under the Criminal Law Amendment Act, and yet they do

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not want this very sensible amendment to be made to improve journalism. So far journalism has done a lot of good, but there is a section of the press which is doing harm to the country, and it is from that honest and *bona fide* motive that I am putting forward this Bill, and I am sorry that there should be even one Member here who should say that this Bill should not be passed. This Bill seeks to amend a very old Act—an Act of 1867. If this Bill is passed, there will not exist any rabid press for misleading the labourers and others, but sensible presses; and if there be strikes, they will be advised through a cultured and responsible press instead of some present day presses which incite them and do harm. In this old Act, Act XXV of 1867, we find how presses are established and how printers and publishers are created. Section 4 will show what I mean. It says:

"No person shall within British India keep in his possession any press for the printing of books or papers who shall not have made and subscribed to the following declaration before the magistrate within whose local jurisdiction such press may be."

What is required is this: if a man wants to establish a press, he should only get into the office of a magistrate and there make a declaration. What that man is, what his character is, whether he has any cultural or educational qualification or not, we need not know. He need show no credentials that he has undergone any training in journalism. Nothing absolutely. Any man who has no good account to give at all can get into the office of a magistrate, make a declaration and instal himself as the owner and proprietor of a press. Now, what kind of declaration has he to make? I will just read out to the House the declaration he has to make. "I, such and such man, have a press for printing at such and such place." First he says he is the owner, then he has to give a true and precise description of the place where his press will be situated. These are the only two conditions which he has to fulfil, and as soon as he makes the necessary declaration and fulfils these two conditions, he goes out and becomes a big man owning a press for himself and having under him some printers and publishers and editors to sit on the destinies of India.

Then, Sir, there is another section here, section 5, which relates to the printer and publisher. Here also,—any person who has not even passed any examination or who does not possess even elementary knowledge of things can declare himself as the printer and publisher. Under clause 5(2) the printer and publisher of every such newspaper shall appear in person or by agent authorised in this behalf in accordance with rules made under section 20 before a District, Presidency or Sub-Divisional Magistrate within whose local jurisdiction such newspaper shall be printed or published or the printer or publisher resides and shall make and subscribe in duplicate a declaration. That declaration is similar to the one under clause 4, and so I shall not read it. Now, these are the only two conditions that he has got to fulfil. There is some proviso to this section 5, and that says that no minor can be an editor or printer or owner. That proviso reads thus:

"Provided that no person who has not attained majority in accordance with the provisions of the Indian Majority Act, 1875, or the law to which he is subject in respect of the attainment of majority shall be permitted to make the declaration prescribed by this section, nor shall any such person edit a newspaper."

Now, the only restriction imposed here is that he should not be a minor, but if a person is a minor in his intellect or even if he is half idiot he can be an editor or a printer of a newspaper. I don't mean thereby to suggest that we have many such people in India; there is a section of that nature also. But I do feel that there ought to be some suitable provision. Editors of newspapers should not fly at me, because I am sure they will agree with me that I am doing them good by my Bill, because only the cream of journalists

The Honourable Sir Muhammad Zafrullah Khan (Law Member): Will you get the cream by this Bill?

Mr. Lalchand Navalrai: Won't I?

Now, Sir, I feel there should be no opposition from the very commencement to a Bill of this character, because I am asking here only for the circulation of the Bill, and not that it should be passed at once. My submission is that this matter should be gone into, it should be discussed by the public, opinions should be sought, and I don't think that the House will regard my request as something very unreasonable. All that my Bill says that we should add one more proviso

Mr. N. M. Joshi (Nominated Non-Official): As if there are not enough.

Mr. Lalchand Navalrai: There is only one, and I want another to be added on, and it is this:

—"provided further that no person who has been convicted of an offence involving moral turpitude"—

this is one qualification, and I don't think there will be any opposition to this even from the Government Benches, because if a man has been convicted of moral turpitude it means he has no character, but he goes before a Magistrate under the law as it stands and makes a declaration and he is permitted to carry on as a printer, publisher or editor of a newspaper, and this is certainly objectionable. There have been some comments in the press, and I am thankful to the press for having commented on my Bill and for making certain suggestions, but no objection has so far been taken to this part by the public press, nor do I think the Government will object to it, but still, that portion also should go out in circulation so that we may see what opinions we receive on it. Why should Government say that this Bill should not be circulated? This Bill is so innocent and modest that it should appeal to them. What do we find in England and other countries? We find there are certain restrictions imposed on journalists, although journalism there has reached such a high pitch that I wish journalism in India too reaches the same level. Now, Sir, the second portion of the proviso which I wish to add is this:

".....no person who has not an educational qualification of having passed at least a matriculation examination of any University in India shall be permitted to make the declaration prescribed by this section nor shall any such person edit a newspaper".

Now, some misunderstanding has arisen over the question of qualification of the person, and I am going to answer it. I want that editors of newspapers should have some educational qualification of having passed at least the matriculation examination of any University in India; only

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such people should be permitted to make the declaration prescribed by this section.

So far as the second qualification is concerned, I admit that there has been some comment in the press but they have misunderstood me. When I ask that the qualification should be the matriculation of any university I have put the words "at least". I do not say that it is only matriculation that should be the qualification. My object is this, that the person who enters this profession should be a qualified man in the sense that he should feel the responsibility, he should edit well, he should reflect public opinion in a manner which can be accepted; for, at present, I know there is a number of newspapers which many people only throw into the waste paper basket. The point I make is that improvement of journalism in India is necessary. Some of the editors in this country really meet the demand that I am making, and they are really as good as those in England or elsewhere. But not only in the mofussil but also in urban areas papers are started only for the purpose of livelihood. They get some advertisement, they get some help from some of the local municipalities, local boards and so on and some of the Government officers also, with whom they come in contact or who are interested in them, give them patronage and they live. Is that a good sign or a bad one? Journalism does not begin today. It began in 1867 or even earlier than that. I am asking for the improvement and development of journalism, and I cannot possibly minimise the usefulness of the press. I would, therefore, submit that so far as this qualification is concerned, let it be fixed. I know there are a number of gentlemen who, even though they have not passed the matriculation, are doing well in the journalistic profession by practice and they have acquired all the training that is required. So, I would not insist upon the qualification of a matriculate, but I say that there should be some qualification fixed, and what it should be has to be considered. That is being done in other professions, in Government service and so on. It is done by means of some examination, by some test, by some training, by some apprenticeship. I urge that not only Government but the journalistic profession itself should take upon itself the duty of creating a bureau or some office where this apprenticeship could be obtained. Young men who now come out of the universities are unemployed, are sitting at home crying aloud that they have not got anything to live upon—this will be one of the ways of removing that unemployment. It is only a very few B.A.'s and M.A.'s who enter this profession, and even then they have shone only by their own faculties and merit and they are doing good to the country. But I would state that the profession should not be only for a few who could be counted on one's fingers, but it should be one like the other professions. You know of the profession at the bar, how so many qualified are entering it. This journalistic profession also is a very respectable profession. By this motion for circulation I only want to secure the opinion of the country and of the press at large, and I do expect that even countries outside will give us some lead on the question of the qualifications required. I would be very sorry if the Honourable the Leader of the House ever thinks that this is a Bill which is not fit even for circulation. I have every respect for the learning and competency of the Honourable the Leader of the House, and I do not think that he was serious when he retorted 'No', but when he sees that the object of this Bill is only

to improve and develop good journalism I hope he would help me in seeing that this Bill goes out for circulation in order to elicit public opinion.

The Honourable Sir Muhammad Zafrullah Khan: The intention is certainly good.

Mr. Lalchand Navalrai: If the intention is good, what is lost by having circulation? Not only is it a case of good intention, but it is necessary that journalism should be given a good impetus in the sense of having in that profession people who can lead us well. The Objects and Reasons that I have given . . . (Interruption by Mr. N. M. Joshi) . . . You are all in a holiday mood, but I shall do my duty, I shall not leave anything which I have to say. I was not going to read the whole of the Objects and Reasons so that it might frighten my Honourable friend Mr. Joshi. I have said:

"It is necessary to improve the tone of the press and to have better material to edit the newspapers. It cannot be denied that a section of the press....."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not read all that. It is before the House. The Honourable Member is really repeating himself.

Mr. Lalchand Navalrai: I will not read it, I remember the whole thing by heart. I submit that the object of this Bill is to get better material. It cannot be denied that a section of the press is not good material at all. I would say that a section of the press is doing great harm to the country. There are editors of newspapers whom I would call rabid. In one or two instances recently they went on criticising the Sind Premier by giving him names. I will not name those editors but now, there should be a check upon that rabid way of doing things. We also know that some bogus presses are started at the time of the election of the members of the Assemblies or the local boards and for that purpose the editors are purchased and instead of doing any good to the country they indulge in quarrels and squabbles resulting sometimes in the breaking of heads. If these editors realise their duties and perform them conscientiously many of the quarrels that take place at election time will come to an end. I have explained what my object is.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has really done that fully.

Mr. Lalchand Navalrai: It cannot be denied that the press can make or mar the interests of any country. Public opinion rules the democratic countries, even countries where the dictators rule. It does a great harm to the country if the lead given is wrong, pernicious or mischievous. It cannot be denied that a portion of the journalism in India is not so satisfactory or salutary. Cases have happened

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is repeating himself too much. The proposition is a very simple one and he has really explained it.

Mr. Lalchand Navalrai: Certain voices of "Yes" came. If it is "yes" I shall finish soon.

The Honourable Sir Muhammad Zafrullah Khan: Yes, yes.

Mr. Lalchand Navalrai: I hope it is an honourable word given in that "Yes".

Now, Sir, the Criminal Law Amendment Act has provided certain restrictions on the press but they are intended to save the Government. They are only a gag on the press from the Government side.

Mr. President (The Honourable Sir Abdur Rahim): All that is not relevant.

Mr. Lalchand Navalrai: I say that there ought to be some restrictions from the public point of view also, so that the public may be saved from the onslaughts which are sometimes viciously made. For this purpose I have moved my motion.

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

"That the Bill further to amend the Press and Registration of Books Act, 1867, be circulated for the purpose of eliciting opinion thereon."

Mr. N. M. Joshi: I rise to oppose this Bill. One can understand a legislature asking for legislation prescribing conditions before a man undertakes a certain profession but, Sir, a Bill of this kind to which the gentleman who has introduced it has not given, if I may say so, a moment's thought should not be allowed to be circulated. Before we try to impose conditions upon those people who want to keep presses or edit newspapers, I should like to know the qualifications prescribed for Members of the Legislature.

An Honourable Member: There are already.

Mr. N. M. Joshi: May I ask whether Members of the Legislature fulfil these two conditions? A man may commit an offence involving moral turpitude and yet become a Member of the Legislative Assembly. A man need not pass the matriculation examination before he can become a Member of the Legislative Assembly. What is the point in prescribing conditions for other people that they should pass the matriculation examination and should not commit any offence which involves moral turpitude? I do not know what profession the Honourable Member is following. I suppose he is a lawyer. Is there any law which prevents a man convicted of an offence involving moral turpitude from practising the profession of law?

Mr. Lalchand Navalrai: He can be suspended.

Mr. N. M. Joshi: There is no provision which can prevent him from following the profession of law. A man may commit a small theft, say, of a pen-knife, and he will not be sent to jail for more than two or three days. He can become a lawyer but he must not become a journalist. It is, therefore, wrong that Members of the Assembly should introduce pieces of legislation without much consideration. Let the Honourable Member

apply these tests to his own profession. Mr. President, there are already enough restrictions on presses in India. The Honourable Member has not got any experience of maintaining a press. I have. If you change your Manager, you have got to go before a magistrate and he can always ask for some security. Recently I wanted to start a newspaper in Bombay for seamen and I know what trouble I had before I could get the permission.

Mr. M. S. Aney (Berar: Non-Muhammadan): Did you get it?

Mr. N. M. Joshi: I do not wish to describe how I got it but I can tell you that it is not very easy to get permission for starting newspapers and presses. Even if you change your Editor, you have got to make a declaration and you have got to be ready to make a deposit of Rs. 1,000 or 2,000 and the Honourable Member is wanting to put more difficulties in the way of those who want to start presses. The Government of India have put restrictions on presses in the past and we have opposed them but about them you can say at least this much that they considered their measure carefully before they brought it up but the Honourable Member has not done even that courtesy to the House before he introduced this Bill which imposes on journalists greater restrictions than those imposed on professions which require greater knowledge and greater responsibility.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, if my Honourable friend, Mr. Lalchand Navalrai, had concluded with the earlier portion of his speech, I assure him that he would have got better support from the House, but he made certain remarks as he continued his speech further and during the latter portion of his speech with which I cannot agree. He first said that his main object was to improve the standard of the press. I have perfect sympathy with him there, but later on he said that his object was to find some employment for our graduates and that this is one of the professions that the graduates can find some living. Probably, when there happens to be a greater degree of pressure from the graduates, he will then say, "now the selection should be made by the Public Service Commission on the result of a competitive examination and that they should be the persons who should be entitled to say who should be the editors of newspapers." So really speaking he spoils his own case by pursuing a different object from what he advocated in the beginning of his speech. The point which I would very much like to emphasize is the condition of passing an examination which he called the matriculation of an Indian university. Sir, I can tell you that a large number of people who are earning honest bread have not passed the matriculation examination of an Indian university. This reminds me of what Plato did. He notified that he would not allow anyone to enter his house unless he knew geometry. Probably my friend, Mr. Lalchand Navalrai, will follow that example and will put a notice in front of his house that nobody should enter his house unless he has passed at least the matriculation examination of an Indian university. Now, he has got a preponderatingly high opinion of the matriculation examination. I may tell you that before the Calcutta University Commission the representatives of the European Chambers of Commerce of

[Dr. Sir Ziauddin Ahmad.]

Calcutta said in oral evidence that they preferred a non-matriculate for employment to a matriculate. Of course I was startled, and I said, what do you mean to say, that you give a preference to the non-matriculate in your offices compared with the matriculate? They said, "yes". I said, "why". The reply was that a person who has not passed the matriculation has got more common sense than the person who has passed it. All that is on record. So really speaking I have repeatedly heard that a person who is a big ass, that is a B.A., is not so much qualified for common sense work as persons who have not taken that particular degree.

Sir H. P. Mody (Bombay Millowners' Association: Indian Commerce): What do they say about wranglers?

Dr. Sir Ziauddin Ahmad: A wrangler is always a wrangler. Going further, they said that this passing the matriculation does not necessarily signify that he is an able man or an honest man capable of doing such and such things and that passing the examination is really a question of luck; and I have published a book on the systems of examinations in which I have quoted the authority of a number of eminent educationists not only in India but in other countries who have said this clearly, viz., that the passing of examinations as they are now conducted is more a question of luck than of merit; and then some of them said that there would be no injustice to the candidates if the marks were to be given to them by lottery and not by reading the answer books of the candidates. So, if the marks could be given by means of the lottery and not necessarily by reading the answer books of candidates, how can that examination be considered to be a qualification for anything whatsoever including journalism and Government service? Sir, a great injustice has been done to education by Government when they laid down this condition, because people who enter Government service try to pass examinations in order to enter Government service and not for the sake of knowledge. Government are the greatest culprits in putting down this condition of a matriculation for their service and we do not want that this particular mistake should be perpetuated. For things like journalism and so on, the men concerned will find out by experience who are the best men and who have the best aptitude for that profession and who have the best common sense. Sir, with these words I oppose the motion.

Mr. M. S. Aney: Sir, it is only the speech of my learned friend, Dr. Sir Ziauddin Ahmad, which has induced me to make a few observations. I can quite see that the view which my Honourable friend, Mr. Lalchand Navalrai, wants to enunciate may not be acceptable to all. That is a conceivable position, but the terrible condemnation of the educated classes that came from the Vice-Chancellor of a well-known University was something quite unexpected.

Dr. Sir Ziauddin Ahmad: May I just explain that whatever I have given out is quotations from a published report?

Mr. M. S. Aney: Did not the Honourable Member quote them with approval?

Dr. Sir Ziauddin Ahmad: I did not give my own opinion at the present moment, but said that there is a great volume of opinion, both in India and outside, which thinks that the system of examinations as now conducted is no better

Mr. M. S. Aney: Now, we are told and I accept that explanation that Dr. Sir Ziauddin Ahmad, a learned scholar, who has read many books, has out of those books given a few quotations to the effect that educated men are not necessarily the best men possible, and that about his own opinion he has expressed nothing. We have got here a speech from Dr. Sir Ziauddin Ahmad in which he has quoted some persons, but as regards his own opinion he has said nothing. Therefore, there is no opinion of Dr. Sir Ziauddin Ahmad upon this Bill and the grounds which he advanced in support of particular theory were not his own grounds, but were borrowed from somebody else. (Interruption.)

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on.

Dr. Sir Ziauddin Ahmad: I have already published my opinion in a definite book, and if the Honourable Member will care to find out my opinion on examinations, I would request him to read that book.

Mr. M. S. Aney: Then, the opinions expressed here are not necessarily the opinions of the Honourable Member himself, but I certainly shall procure a copy of the book later on. However, **12 NOON.** Sir, I would not myself like to impose any unnecessary conditions upon anybody who wants to enter any career in this direction. But the motion before this House is not to ask this House to commit itself to any definite principle at all. It only invites the attention of the House to the existence of certain kinds of evil in this country. I believe it would not be denied by any responsible Member of this House that the state of journalism in this country at present unfortunately is not what it ought to be, and that there is some need for having some kind of restriction upon that journalism in this country. I state that—that position is already accepted, and I submit that it is on the basis of that position that certain restrictions have already been introduced by the Government in their own way, but those restrictions which are mentioned in the Indian Press Act and so on have not been able to level up the standard of Indian journalism to expectation. The attempt of the present Bill is not to put undue restrictions upon journalism as such but to try to do something, to level up that standard. Although one may not exactly agree with the remedy suggested here, this Bill will at least enable us, if it be circulated, to know from those who are concerned in this honourable profession as to what are the lines along which they wish this journalism to prosper hereafter and what are the best ways to give a proper tone to journalism? Those opinions might help us to get certain suggestions in the light of which the Bill later on may be improved and put in an acceptable form. But if you kill it here altogether and the subject is no longer there, there is nothing to invite the attention of the people to a standing evil of this kind. The evil is an admitted fact.

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): What is the standing evil that you are complaining of?

Mr. M. S. Aney: The evil is that Indian journalism is suffering from a want of a proper tone. If we look at the number of papers and the matter that is published in them, we should not feel proud of them at all.

Sir Abdul Halim Ghuznavi: And you propose to remedy it by this Bill?

Mr. M. S. Aney: This Bill invites our attention to that state of things. That state of things requires to be remedied and if we send this Bill for circulation we shall be certainly favoured with suggestions from outside in the light of which this Bill will be examined later on. There is no harm in allowing this Bill to go out for eliciting public opinion. The question before the House is for circulation of the Bill for eliciting public opinion and I, therefore, think that it would not be proper to kill it at this stage.

Sir Abdul Halim Ghuznavi: Sir, I oppose the circulation of the Bill. It contains nothing that we do not know already, and, therefore, there is no need for its circulation. My Honourable friend, Mr. Aney, made one point and it was this, that Indian journalism is wanting in a proper tone. I have not been able to follow what he means by the proper tone. The *Amrita Bazar Patrika* has one tone and the other *Patrika* has another tone. What is the proper standard of tone, he has not been able to tell us. The whole thing, to my mind, which the Honourable the Mover had in mind is this that he wants to restrict the employment of Mussalmans in any newspaper. The last few lines of the Statement of Objects and Reasons give us a clue to what was in his mind. They run thus:

"Lately the resolution passed by the conference of the Provincial Home Ministers under the presidency of the Home Member of the Government of India has also recognised the necessity of a concerted action by the Government to control propaganda of a communal nature which is generally attributed to the inferior section of the press."

There lies the whole aim. My Honourable friend, Mr. Lalchand Navalrai, does not want communal propaganda and that propaganda means the Muslim propaganda which he does not like. That is to be restricted. The editors, according to him, must be graduates or matriculates or persons having some such qualification, otherwise a newspaper is not to be started. Sir, what business my Honourable friend, the Mover, has to introduce this sort of thing? He is introducing Hitlerism on the floor of this House. Why should he insist on Mr. A. being employed and not Mr. B. who may not have the education which my Honourable friend, Mr. Lalchand Navalrai, is in favour of? Who is he to lay down that law?

Mr. Lalchand Navalrai: I am as good a barrister or a lawyer as you are.

Sir Abdul Halim Ghuznavi: I am not a lawyer. You are introducing a Bill restricting the liberty of the person who is going to invest his money to take A and not B. Who are you to say that and why should

you interfere with individual liberty? It is his choice, and he takes the consequence of employing the man he likes. Why should you lay down any restrictions? Are we here to legislate and tell people that you must not eat five times as you are doing yourself? It is pure waste of time and money and the waste of the paper on which it is printed. Sir, I oppose it.

The Honourable Sir Reginald Maxwell (Home Member): Sir, if Government remain neutral towards a motion for circulation of this measure, it is not because they regard it, on the face of it, with any approval, but because at the Conference of Home Ministers, to which the Honourable the Mover has referred in his Statement of Objects and Reasons, an understanding was arrived at that in so far as the matter rested with them, Government would give facilities for the consultation of Provincial Governments in regard to legislation falling within the concurrent legislative field. The Government will, therefore, leave it to this House to decide whether this is a measure on which it seriously desires the opinion of Provincial Governments. For myself, I must point out that Government could not possibly regard this measure, as it stands, as a satisfactory one. The Honourable Member has proposed to protect the public from certain classes of editors, printers and publishers. In order to do so, he proposed to erect a bulwark between the public and these designing persons of whom he feels such considerable suspicion. What is this bulwark? It consists of two tests and they are not in any way connected with one another. It is not shown how a person who has passed the Matriculation is a person of high moral character or how a person who has not been convicted of an offence of moral turpitude is a person of education sufficient to instruct the public. These two tests not connected with one another have been proposed and the assumption is that all persons who can pass these tests are fit to have access to the public in the printing, publishing and editing profession. If it had been proposed that no person, who is not of a high moral character, should be allowed to instruct the public through the medium of the press, I could have understood the measure. But how the public are going to be really protected by merely prescribing that a person should not have been convicted of an offence involving moral turpitude, I am unable to understand. Are there no persons who have not been convicted of moral turpitude who nevertheless mislead the public or indulge in communal writings? The offence of moral turpitude has no connection with the object which the Honourable Member's motion wishes to serve. Similarly, as regards the educational test.

Is the passing of the matriculation examination a sufficient qualification to enable a person, in the words of the Honourable Member, to invest himself with powers over the destinies of the people? If the Honourable Member had prescribed that no one who is not a first class M.A. should instruct the public, I could have understood it, but the qualification of matriculation does not seem to take us very far. Then again I must ask, is it only persons who have not passed the matriculation who indulge in unworthy attacks on other people or who misuse the power of the press or who indulge in communal writings? Where is the safeguard in prescribing an educational test at all, or an educational test of this kind? Then there are other things which I am unable to understand in this Bill. In the first place what has an educational test of matriculation got to do with a printer? Why should a person not be able to print

[Sir Reginald Maxwell.]

just as well or run a printing press without this particular educational qualification? Or again what has moral turpitude got to do with the printer? Is a printer to be guided by his state of moral conduct in what he prints or does not print?

Mr. Latchand Navalrai: He will steal away all the types.

The Honourable Sir Reginald Maxwell: I was thinking that possibly the Honourable Member had in his mind the printers devil and he wanted to protect the public from such things. Again, I must point out that this Bill as it stands has several defective definitions in it. Firstly, we do not know what is meant by "moral turpitude". That is an expression which has not been defined anywhere that I am aware of. The Bill on that ground is vague. Then again, what is the definition of an 'editor'. I fancy that many people hunt newspaper offices without being able to find out the editor. In any case, it is extremely easy to have a dummy editor and a real editor, and the real editor may be the person who is misleading the public, whereas the dummy editor, according to the Honourable the Mover of the Bill, might quite well be a person who has passed the matriculation and he might be a person who has not been convicted of any offence involving moral turpitude. Are we then having any real safeguard to the public through this Bill?

Another point which I observe about the Bill is that all the persons at present engaged in publishing and printing are not affected by the Bill and they will never be affected by it until they reach the stage of making a fresh declaration, that is to say, if they change the premises where their business is being carried on. So the public is afforded no safeguard as long as the existing printer and publisher carries on his business. On the other hand, I am sorry to say that under the Honourable Member's Bill all existing editors who have not passed the matriculation examination would have to be dismissed at once. That is a sufficient indication to the House that this Bill on the face of it seems to have many defects. As I said the Government would leave it to the House to decide whether the Bill really deserves the opinion of the provinces. In the meanwhile the Government will remain neutral towards the motion for circulation.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, the speech of the Honourable the Home Member showed that there are very strong reasons for opposing this measure for circulation. I do not think that the Government should be a party even to remaining neutral and thus allow the wastage of public money and time of the Ministers and of the people who will go through this Bill and give their opinion on a measure like this.

Whatever may have been the compromise arrived at at the Ministers' Conference, surely, in a matter like this, where Government feel so strongly, they must oppose the Bill. Instead of bringing about any good result, if this Bill is placed on the Statute-book, it will merely be a waste of public time and money. The Government instead of remaining neutral ought to have opposed the Bill and they should instruct the Members sitting in the back Benches to vote against this Bill and throw it away and not waste any more time of the House. Sir, I oppose the motion for circulation.

Mr. Lalchand Navairai: Sir, I am really sorry that the Honourable the Knight from Meerut should have thought that this Bill is going to be placed on the Statute-book here and now. The Honourable Member ought to have had the sense to know that my motion does not seek to place the Bill on the Statute-book at this moment. What I ask for is only circulation. No doubt it will cost some money, but it is all to the good of the country. In a matter like this we should know the views of the Provincial Governments and also of the public. My Honourable friend from Calcutta said "who am I that I am coming here with this measure". I say I represent the public which includes my Honourable friend also. I submit this Bill should not be killed at this moment. The complaint against this Bill is that it is evasive in some respects. After getting the views of the public, it will be time enough to mould the provisions of the Bill. If the qualification of matriculation does not satisfy the House, certain other conditions can be imposed. That is what I want. What I wish is that a certain section of the press should not be unmuzzled. It should be muzzled in some respects and thus prevented from doing wrong to the country. One thing necessary is that there should be character. Everybody knows what character means. If as the Honourable the Home Member desires, the expression 'moral turpitude' has to be defined, there is time enough for it.

I was surprised at the remark that came from this side of the House, from another Knight, namely, that examination is only a gamble. My Honourable friend has also passed through that gamble. He may have lost much money over it which, according to him, is a losing concern; but yet he is in a place where he can give vent to his views and his views will be regarded as those of an educated man, as the views of a man who has got character. He says, no, those who give public opinion should have no character, no morale and no education. It comes to that. What I want is only a test or some apprenticeship. That does not mean it should be by a gamble; I will be satisfied with some sort of selection. I am sure that leaving aside those Honourable Members who have come determined to oppose this measure, there are other Honourable Members who feel in their heart of hearts that some such provision as contemplated in this Bill is required. We are told that Government will remain neutral. I see there are some Honourable Members on this side who have made up their mind to kill this Bill at this stage whatever good it might bring. In that case I cannot help; many Members are absent. I will not say anything more but leave it to the good sense of the House. I request the Muslim League to reconsider their attitude and go into the lobby with me.

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

"That the Bill further to amend the Press and Registration of Books Act, 1867, be circulated for the purpose of eliciting opinion thereon."

The motion was negatived.

THE INDIAN PENAL CODE (AMENDMENT) BILL.

Mr. Lalchand Navairai (Sind: Non-Muhammadan Rural): Sir, I move:

"That the Bill further to amend the Indian Penal Code be taken into consideration."

Mr. President (The Honourable Sir Abdur Rahim): **Motion moved:**

"That the Bill further to amend the Indian Penal Code be taken into consideration."

The Honourable Sir Reginald Maxwell (Home Member): Sir, I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st July, 1940."

I do not think it is necessary to say much in support of this motion because the Bill is obviously of a character on which the provinces ought to be consulted, falling as it does within the concurrent legislative field.

Mr. President (The Honourable Sir Abdur Rahim): **Amendment moved:**

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st July, 1940."

Mr. Lalchand Navarat: Sir, I will not say much except this that the evil has increased in the provinces and in Sind it has increased to a very great extent. In Bengal kidnappings and abductions have been going on for a long time the reason being the low age limit for protection. My object is to raise that limit and a judgment recently given in the Judicial Commissioner's court at Sind has stressed the necessity of raising the age from 14 and 16 in the case of boys and girls respectively to 18. With that object I move this Bill and I hope the Provincial Governments and this House will see the justice of it.

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

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st July, 1940."

The motion was adopted.

THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT) BILL.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move for leave to introduce a Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose.

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

"That leave be granted to introduce a Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose."

The motion was adopted.

Dr. Sir Ziauddin Ahmad: Sir, I introduce the Bill.

THE TRANSFER OF PROPERTY (AMENDMENT) BILL.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I move for leave to introduce a Bill further to amend the Transfer of Property Act, 1882.

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

“That leave be granted to introduce a Bill further to amend the Transfer of Property Act, 1882.”

The motion was adopted.

Mr. Akhil Chandra Datta: Sir, I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 8th February, 1940.