

14th March 1939

# **THE LEGISLATIVE ASSEMBLY DEBATES**

**(Official Report)**

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**Volume III, 1939**

*(14th March to 28th March, 1939)*

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## **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.*

# LEGISLATIVE ASSEMBLY.

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M89LAD

# CONTENTS.

VOLUME III.—14th March to 28th March, 1939.

|   | PAGES.     |   | PAGES.    |
|---|------------|---|-----------|
| <b>TUESDAY, 14TH MARCH, 1939—</b>   |            | <b>THURSDAY, 16TH MARCH, 1939—</b>  |           |
| Starred Questions and Answers . . . . .   | 2003—23    | Member Sworn . . . . .  | 2151      |
| Message from the Council of State . . . . .   | 2023       | Starred Questions and Answers . . . . .   | 2151—82   |
| The General Budget—List of Demands—   |            | Unstarred Questions and Answers . . . . .   | 2182—83   |
| Demand No. 10—Indian Posts and Telegraphs Department (including Working Expenses)—  | 2024—46    | Election of Members to the Standing Committee on Emigration . . . . .                                     | 2184      |
| Departure from the Practice of using Urdu script in Postal Forms . . . . .  | 2024—29    |   |           |
| Carrying on a one-sided Propaganda and withholding Telegrams sent by the Rival Party . . . . .  | 2032—46    | The General Budget—List of Demands—   |           |
| Demand No. 19—Commerce Department . . . . .   | 2048—50    | Demand No. 17—Department of Education, Health and Lands—  | 2184—2211 |
| Conditions to be imposed on subsidised or protected Industries in India . . . . .   | 2048—50    | Indians Overseas . . . . .  | 2184—2211 |
| Demand No. 12—Executive Council . . . . .   | 2050—73    | Demand No. 19—Commerce Department—  | 2211—26   |
| Constitution and terms of reference of the Sandhurst Committee appointed against the Resolution of the Legislative Assembly . . . . . | 2050—73    | Failure of the Government to protect the Coconut Industry . . . . .                                       | 2211—26   |
| <b>WEDNESDAY, 15TH MARCH, 1939—</b>   |            | Demand No. 15—Home Department—  | 2226—30   |
| Starred Questions and Answers . . . . .   | 2075—2105. | State Prisoners detained without trial . . . . .  | 2226—30   |
| Postponed Question and Answer . . . . .   | 2105       | Demand No. 1—Customs . . . . .  | 2230      |
| The General Budget—List of Demands—   |            | Demand No. 2—Central Excise Duties . . . . .  | 2231      |
| Demand No. 12—Executive Council . . . . .   | 2105—49.   | Demand No. 3—Taxes on Income including Corporation Tax . . . . .  | 2231      |
| Government's Defence Policy and Administration . . . . .  | 2105—49    | Demand No. 4—Salt . . . . .   | 2231      |
| Demand No. 17—Department of Education, Health and Lands . . . . .   | 2149       | Demand No. 5—Opium . . . . .  | 2231      |
| Indians Overseas . . . . .  | 2149       | Demand No. 6—Provincial Excise . . . . .  | 2231      |
|   |            | Demand No. 7—Stamps . . . . .   | 2231      |
|   |            | Demand No. 8—Forest . . . . .   | 2231      |
|   |            | Demand No. 9—Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works . . . . . | 2232      |
|   |            | Demand No. 10—Indian Posts and Telegraphs Department (including Working Expenses) . . . . .               | 2232      |

THURSDAY, 16TH MARCH,  
1939—*contd.*

The General Budget—List of  
Demands—*contd.*

|   |      |
|---|------|
| Demand No. 11—Interest on Debt and other Obligations and Reduction or Avoidance of Debt         | 2232 |
| Demand No. 12—Executive Council   | 2232 |
| Demand No. 13—Council of State  | 2232 |
| Demand No. 14—Legislative Assembly and Legislative Assembly Department                          | 2232 |
| Demand No. 15—Home Department   | 2233 |
| Demand No. 16—Legislative Department  | 2233 |
| Demand No. 17—Department of Education, Health and Lands   | 2233 |
| Demand No. 18—Finance Department  | 2233 |
| Demand No. 19—Commerce Department   | 2233 |
| Demand No. 20—Department of Labour  | 2233 |
| Demand No. 21—Department of Communications  | 2233 |
| Demand No. 22—Central Board of Revenue  | 2234 |
| Demand No. 23—India Office and High Commissioner's Establishment Charges                        | 2234 |
| Demand No. 24—Payments to other Governments, Departments, etc., on account of Services rendered | 2234 |
| Demand No. 25—Audit   | 2234 |
| Demand No. 26—Administration of Justice   | 2234 |
| Demand No. 27—Police  | 2234 |
| Demand No. 28—Ports and Pilgrimage  | 2234 |
| Demand No. 29—Lighthouses and Lightships  | 2235 |
| Demand No. 30—Survey of India   | 2235 |
| Demand No. 31—Meteorology   | 2235 |
| Demand No. 32—Geological Survey   | 2235 |
| Demand No. 33—Botanical Survey  | 2235 |

PAGES 2232-2235

THURSDAY, 16TH MARCH,  
1939—*contd.*

The General Budget—List  
of Demands—*contd.*

|   |      |
|---|------|
| Demand No. 34—Zoological Survey   | 2235 |
| Demand No. 35—Archaeology   | 2235 |
| Demand No. 36—Mines   | 2236 |
| Demand No. 37—Other Scientific Departments                                  | 2236 |
| Demand No. 38—Education   | 2236 |
| Demand No. 39—Medical Services  | 2236 |
| Demand No. 40—Public Health   | 2236 |
| Demand No. 41—Agriculture   | 2236 |
| Demand No. 42—Imperial Council of Agricultural Research                     | 2236 |
| Demand No. 43—Scheme for the Improvement of Agricultural Marketing in India | 2237 |
| Demand No. 44—Imperial Institute of Sugar Technology                        | 2237 |
| Demand No. 45—Civil Veterinary Services                                     | 2237 |
| Demand No. 46—Industries  | 2237 |
| Demand No. 47—Aviation  | 2237 |
| Demand No. 48—Capital Outlay on Civil Aviation charged to Revenue           | 2237 |
| Demand No. 49—Broadcasting  | 2237 |
| Demand No. 50—Capital Outlay on Broadcasting                                | 2238 |
| Demand No. 51—Indian Stores Department                                      | 2238 |
| Demand No. 52—Commercial Intelligence and Statistics                        | 2238 |
| Demand No. 53—Census  | 2238 |
| Demand No. 54—Emigration—Internal   | 2238 |
| Demand No. 55—Emigration—External   | 2238 |
| Demand No. 56—Joint Stock Companies   | 2238 |
| Demand No. 57—Miscellaneous Departments                                     | 2239 |
| Demand No. 58—Currency  | 2239 |

PAGES 2235-2239



THURSDAY, 16TH MARCH,  
1939—concl'd.

The General Budget—List of  
Demands—concl'd.

Demand No. 59—Mint . . . . . 2239

Demand No. 60—Civil  
Works . . . . . 2239

Demand No. 61—Central  
Road Fund . . . . . 2239

Demand No. 62—Superan-  
nation Allowances and  
Pensions . . . . . 2239

Demand No. 63—Station-  
ery and Printing . . . . . 2239

Demand No. 64—Miscella-  
neous . . . . . 2240

Demand No. 65—Grants in-  
aid to Provincial Gov-  
ernments . . . . . 2240

Demand No. 66—Miscella-  
neous Adjustments be-  
tween the Central and  
Provincial Governments . . . . . 2240

Demand No. 67—Expendi-  
ture on Retrenched Per-  
sonnel charged to Reve-  
nue . . . . . 2240

Demand No. 68—Delhi . . . . . 2240

Demand No. 69—Ajmer-  
Merwara . . . . . 2240

Demand No. 70—Panth  
Piploda . . . . . 2241

Demand No. 71—Andamans  
and Nicobar Islands . . . . . 2241

Demand No. 72—Indian  
Posts and Telegraphs . . . . . 2241

Demand No. 73—Indian  
Posts and Teleraphs—  
Stores Suspense (not  
charged to Revenue) . . . . . 2241

Demand No. 74—Indian  
Posts and Telegraphs—  
Capital Outlay on Tele-  
phone Projects (not  
charged to Revenue) . . . . . 2241

Demand No. 75—Capital  
Outlay on Vizagapatam  
Harbour . . . . . 2241

Demand No. 76—Delhi Cap-  
ital Outlay . . . . . 2242

Demand No. 77—Commuted  
Value of Pensions . . . . . 2242

Demand No. 78—Interest-  
free Advances . . . . . 2242

Demand No. 79—Loans and  
Advances bearing Interest . . . . . 2242

PAGES.

FRIDAY, 17TH MARCH, 1939—

Starred Questions and  
Answers . . . . . 2243—64

Postponed Question and  
Answer . . . . . 2264—65

Unstarred Question and  
Answer . . . . . 2266

Election of Members to the  
Standing Committee for  
the Department of Com-  
merce . . . . . 2266

Election of Members to serve  
on the Standing Committee  
for Roads . . . . . 2266

Election of the Standing  
Finance Committee for  
Railways . . . . . 2267

Election of the Central Advi-  
sory Council for Railways . . . . . 2267

The Indian Finance Bill—  
Discussion on the motion  
to consider not concluded . . . . . 2268—  
2312.

SATURDAY, 18TH MARCH, 1939—

Member Sworn . . . . . 2313

Starred Questions and  
Answers . . . . . 2313—36

Unstarred Questions and  
Answers . . . . . 2336—37

Motion for Adjournment re  
Ejectment and Prosecu-  
tion of a First Class Rail-  
way Passenger for wearing  
a Dhoti—Ruled out of  
order . . . . . 2337—38

Election of Members to the  
Public Accounts Com-  
mittee . . . . . 2338

The Indian Finance Bill—  
Discussion on the motion to  
consider not concluded . . . . . 2338—78

MONDAY, 20TH MARCH, 1939—

Member Sworn . . . . . 2379

Starred Questions and  
Answers . . . . . 2379—  
2408.

Unstarred Questions and  
Answers . . . . . 2408—15

The Registration of Foreigners  
Bill—Presentation of the  
Report of the Select Com-  
mittee . . . . . 2415

|   | PAGES.               |  | PAGES.               |
|---|----------------------|--|----------------------|
| <b>MONDAY, 20TH MARCH, 1939—contd.</b>  |                      | <b>THURSDAY, 23RD MARCH, 1939—contd.</b>   |                      |
| The Indian Finance Bill—<br>Discussion on the motion to<br>consider not concluded . . .   | 2415—58              | Election of Members to the<br>Standing Committee for<br>Roads . . .                                  | 2634                 |
| <b>TUESDAY, 21ST MARCH, 1939—</b>   |                      | Election of Members to the<br>Standing Finance Com-<br>mittee for Railways . . .                     | 2634—35              |
| Starred Questions and<br>Answers . . .  | 2459—78              | Message from the Council of<br>State . . .   | 2635                 |
| Postponed Question and<br>Answer . . .  | 2478—79              | The Indian Finance Bill—<br>Discussion on the consider-<br>ation of clauses not con-<br>cluded . . . | 2635—50,<br>2651—79. |
| The Indian Finance Bill—<br>Motion to consider adopted . . .  | 2479—<br>2530.       | The Criminal Law Amendment<br>Bill—Presentation of the<br>Report of the Select Com-<br>mittee . . .  | 2650                 |
| <b>WEDNESDAY, 22ND MARCH, 1939—</b>   |                      | <b>FRIDAY, 24TH MARCH, 1939—</b>   |                      |
| Starred Questions and<br>Answers . . .  | 2531—52              | Starred Questions and<br>Answers . . .   | 2681—99              |
| Postponed Questions and<br>Answers . . .  | 2552—53              | Bill passed by the Council of<br>State . . .   | 2699                 |
| Motion for Adjournment <i>re</i><br>Government's refusal to<br>give an opportunity to the<br>Assembly to express its<br>Opinion on the proposed<br>Bill to amend the Govern-<br>ment of India Act, 1935—<br>Disallowed by the Governor<br>General . . . | 2553—<br>2586.       | The Indian Finance Bill—Dis-<br>cussion on the consideration<br>of clauses concluded . . .           | 2699—<br>2749.       |
| Election of Members to the<br>Standing Committee on<br>Pilgrimage to the Hedjaz . . .   | 2554                 | <b>SATURDAY, 25TH MARCH, 1939—</b>   |                      |
| The Indian Finance Bill—<br>Discussion on the considera-<br>tion of clauses not conclud-<br>ed . . .  | 2554—85,<br>2586—99. | Starred Questions and Ans-<br>wers . . .   | 2751—62              |
| <b>THURSDAY, 23RD MARCH, 1939—</b>  |                      | Message from His Excellency<br>the Viceroy and Governor<br>General . . .                             | 2763                 |
| Starred Questions and<br>Answers . . .  | 2601—29              | The Indian Finance Bill—<br>Recommended amendment<br>to clause 2 negatived . . .                     | 2763—71              |
| Statements laid on the Table . . .  | 2629—32              | Demands for Supplementary<br>Grants in respect of Rail-<br>ways . . .                                | 2771—<br>2807.       |
| Motion for Adjournment <i>re</i> —<br>Alleged criminal assault on<br>a respectable Indian Lady<br>by British Soldiers at the<br>Ferozepore Cantonment—<br>Disallowed . . .  | 2632                 | Demands for Supplementary<br>Grants . . .  | 2807—16              |
| Reported appointment of<br>Mr. Bird as the Special<br>Income-tax Commission-<br>er—Disallowed . . .   | 2633—34              | <b>MONDAY, 27TH MARCH, 1939—</b>   |                      |
|   |                      | Members Sworn . . .  | 2817                 |
|   |                      | Starred Questions and<br>Answers . . .   | 2817—24              |
|   |                      | Statements laid on the Table . . .   | 2825                 |
|   |                      | Motion <i>re</i> the Indo-British<br>Trade Agreement—Discus-<br>sion not concluded . . .             | 2826—28              |

|   | PAGES.         |  | PAGES.         |
|---|----------------|--|----------------|
| TUESDAY, 28TH MARCH, 1939--             |                | TUESDAY, 28TH MARCH, 1939— <i>contd.</i>   |                |
| Starred Questions and Answers . . . . . | 2895—<br>2939. | Election of Members to the Central Advisory Council for Railways . . . . .           | 2940           |
| Unstarred Question and Answer . . . . . | 2939—40        | Election of a Member to the Standing Committee on Pilgrimage to the Hedjaz . . . . . | 2949           |
|   |                | Motion <i>re</i> Indo-British Trade Agreement—negatived . . . . .                    | 2940—<br>3004. |

# LEGISLATIVE ASSEMBLY.

*Tuesday, 14th 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.

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

#### UTILISATION OF MOLASSES FOR MANUFACTURE OF POWER ALCOHOL.

†1016. \*Seth Haji Sir Abdoola Haroon: Will the Secretary for Education, Health and Lands be pleased to state:

- (a) whether the attention of the Government of India has been drawn to the question of taking steps to see the proper utilisation of molasses either in the direction of export, or in the direction of manufacturing fertilizers, road making, etc.; and
- (b) whether Government's attention has been drawn to the appointment of a Committee for investigation of the possibility of utilisation of molasses in the Provinces of Bombay and Mysore, and whether Government are aware of the volume of public opinion in favour of utilisation of molasses in the direction of the manufacture of power alcohol with a view to developing a new industry in the country, and to reducing the necessity of dependence of India on imported petrol?

Sir Girja Shankar Bajpai: (a) Yes.

(b) Government are aware that the objects stated by the Honourable Member have considerable public support.

#### ALLOCATION TO PROVINCES OUT OF THE PROCEEDS OF THE SUGAR EXCISE DUTY.

†1017. \*Seth Haji Sir Abdoola Haroon: Will the Education Secretary please state whether the attention of Government has been drawn to the demands of the Provincial Governments of the United Provinces and Bihar for allocation of at least three annas out of the proceeds of the excise duty? Did the Sugar Committee of the Imperial Council also make any such recommendation? If so, when and with what effect?

Sir Girja Shankar Bajpai: No such proposal has been received from the Government of the United Provinces or the Government of Bihar. As regards the second part the Honourable Member's attention is invited to the reply given to Mr. Satya Narayan Sinha's starred question No. 1385 on the 23rd March, 1936.

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

**NOTICE OF TERMINATION OF THE TRADE AGREEMENT WITH BURMA.**

**1018. \*Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Commerce Member state:

- (a) whether Government have finished consideration of the matter of giving notice of termination of the trade agreement with Burma; and
- (b) if so, to what conclusion they have come?

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

(b) Does not arise.

**Mr. T. S. Avinashilingam Chettiar:** Do they expect to come to a conclusion in the near future?

**The Honourable Sir Muhammad Zafrullah Khan:** Naturally, as some decision one way or the other must be arrived at before the 31st of March. I suppose that is in the near future.

**Mr. T. S. Avinashilingam Chettiar:** Do they expect to give this notice before this Session finishes?

**The Honourable Sir Muhammad Zafrullah Khan:** If notice has to be given, it must be given before the end of this Session.

**Mr. T. S. Avinashilingam Chettiar:** Have Government considered the fact that the Burma Government have not yet accepted the principle of giving compensation for injury to Indian life and property and in view of that, may I ask if Government have considered the urgency of giving such a notice?

**The Honourable Sir Muhammad Zafrullah Khan:** That is a question which should be addressed to my Honourable friend, the Secretary for the Department of Education, Health and Lands.

**Mr. T. S. Avinashilingam Chettiar:** I am using the information which the Honourable the Secretary for the Department of Education, Health and Lands gave and I am asking about the question of the urgency of giving notice for the termination in view of what the Honourable the Education Secretary said.

**The Honourable Sir Muhammad Zafrullah Khan:** As I have said, the matter is urgent in the sense that if notice has to be given, it must be given by the 31st March.

**Mr. K. Santhanam:** May I ask if Provincial Governments have been consulted about this notice of termination?

**The Honourable Sir Muhammad Zafrullah Khan:** I would require notice of this question.

**Mr. S. Satyamurti:** After giving notice, it is possible to renew the trade agreement as it is. If they do not give notice at once, they cannot have a fresh agreement based on all considerations. Will Government kindly

keep this fact in mind that the giving of notice does not only involve the termination of the trade agreement, but also the protection of Indian life and property in Burma?

**The Honourable Sir Muhammad Zafrullah Khan:** I assure the Honourable Member that that very elementary consideration has not escaped the notice of Government.

#### COMPENSATION PAID TO INDIAN LASCARS AND EUROPEAN SEAMEN.

**1019. \*Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Commerce Member state:

- (a) whether Government have finished consideration of the matter of revising the Indian Merchants' Shipping Act with reference to compensation to be paid to Indian lascars in certain matters, which is less than that laid down for European Seamen;
- (b) if so, with what result; and
- (c) whether they propose to introduce amending legislation in the matter?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) to (c). The matter is still under consideration.

**Mr. T. S. Avinashilingam Chettiar:** May I ask for how long this matter has been under the consideration of the Government of India?

**The Honourable Sir Muhammad Zafrullah Khan:** I am afraid I have not got the dates here.

**Mr. T. S. Avinashilingam Chettiar:** May I know what is the difference in the remuneration paid to the Indian and the European lascars?

**The Honourable Sir Muhammad Zafrullah Khan:** Obviously, that is a matter of which I must have notice. I cannot answer that on a supplementary question.

#### HEAVY IMPORTS OF RICE AND PADDY INTO MADRAS.

**†1020. \*Mr. C. N. Muthuranga Mudaliar:** Will the Secretary for Education, Health and Lands please state:

- (a) whether it is a fact that heavy shipments of rice and paddy recently arrived in Madras from Burma and Siam, *vide* the extracts from *The Hindu* of the 13th and 17th January, 1939;
- (b) whether, and if so, to what extent they have affected the local Madras market for rice and paddy;
- (c) whether imports to the extent of 250,000 tons more than the usual quota of rice are expected to arrive in Madras during the period from January to August this year; and
- (d) whether any action has been taken, or is to be taken, and if so, what?

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

**Sir Girja Shankar Bajpai:** (a) The imports from Burma during January, 1939, amounted to 39,542 tons of rice and 7,967 tons of paddy. Only 64 tons of rice were imported from Siam during that period.

(b) The prices in January, 1939, in Madras City were slightly lower than in December, 1938, but were, on the whole, not lower than the average price for 1938.

(c) Government have seen the Press report but have no other information.

(d) Government do not consider that any occasion has arisen for action on their part.

#### FURTHER RESTRICTION ON INDIAN OWNERSHIP OF PROPERTY IN EUROPEAN AREAS IN SOUTH AFRICA.

†1021. **\*Mr. C. N. Muthuranga Mudaliar:** Will the Secretary for Education, Health and Lands please state :

(a) whether it is a fact that recently (*vide The Hindu* of the 24th January 1939,) the Minister for the Interior in the Union of South Africa gave an assurance to a deputation of Europeans that further restriction on Indian ownership of property in European areas would be imposed;

(b) if so, the reasons for the proposal;

(c) whether any representation in this regard has been made by Indians in South Africa either to the Agent-General or to the Government of India;

(d) whether the Agent-General or the Government of India have taken any action and if so, what; and

(e) what is the present position?

**Sir Girja Shankar Bajpai:** (a)—(d). The attention of the Honourable Member is invited to the reply given by me on the 24th February, 1939, to the short notice questions asked by Sir Syed Raza Ali and Mr. Mohan Lal Saksena and the supplementaries thereto.

(e) The matter is still the subject of negotiations.

#### RAISING OF THE RATE OF CESS ON EXPORTED TEA.

1022. **\*Maulvi Abdur Rasheed Chaudhury:** (a) Will the Honourable the Commerce Member please state whether the Indian Tea Market Expansion Board consulted the Tea Industry before submitting their recommendation to raise the rate of cess on exported tea from Re. 1-4-0 to Re. 1-6-0?

(b) If the reply to part (a) be in the affirmative, will the Honourable Member please state what per cent. of tea-growers was for the rise and what per cent. against it?

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

(b) On an acreage basis, 91 per cent. for and 9 per cent. against. On the crop basis, 92 per cent. for and 8 per cent. against.

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

**Maulvi Abdur Rasheed Chaudhury:** May I know the reason for raising the rate of the cess from Rs. 1-4-0 to Rs. 1-6-0?

**The Honourable Sir Muhammad Zafrullah Khan:** I have already stated the reason on a previous occasion.

**Maulvi Abdur Rasheed Chaudhury:** Is it not a fact that the cess was raised on the ground that they have got no hand in the expenditure of the money raised by this cess?

**The Honourable Sir Muhammad Zafrullah Khan:** I am unable to say.

**Mr. Kuladhar Chaliha:** May I ask for what purpose this increased income is going to be spent and where?

**The Honourable Sir Muhammad Zafrullah Khan:** I have explained that fully in answer to a previous question.

#### FILLING UP OF THE POST OF THE PUBLIC HEALTH COMMISSIONER WITH THE GOVERNMENT OF INDIA.

†1023. **\*Mr. C. N. Muthuranga Mudaliar:** Will the Secretary for Education, Health and Lands be pleased to state:

- (a) whether it is a fact that Colonel Russell, the Public Health Commissioner with the Government of India is to retire in a short time;
- (b) whether it is a fact that Government contemplate appointing a junior European in the Department, and to overlook the claims of Indians in the same Department who are senior to the European; and
- (c) what is the reason for this discrimination in favour of a European?

**Sir Girja Shankar Bajpai:** (a) Yes.

(b) and (c). Lieut.-Colonel E. Cotter, I.M.S., at present Deputy Public Health Commissioner, who joined the Indian Medical Service on 8th December, 1915, has been selected for appointment as the next Public Health Commissioner with the Government of India. The appointment was made by the Governor General in Council, after a full consideration of the record of services of all the officers eligible for consideration. The latter included four European and three Indian, Indian Medical Service officers senior in service to Lieut.-Colonel Cotter.

#### INSTRUMENT OF ACCESSION.

1024. **\*Mr. S. Satyamurti:** Will the Honourable the Leader of the House please state:

- (a) whether Government have now heard from any Prince or Princes about the Instrument of Accession;
- (b) whether Government have been asked any help or advice in the interpretation of this Instrument of Accession;

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



(c) whether any Prince has asked for any special reservations or any special Instrument of Accession in addition to the general Instrument of Accession; and

(d) what is the latest position in the matter?

**The Honourable Sir Nripendra Sircar:** (a) No, Sir

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

(d) I have nothing to add to the replies given above.

**Mr. S. Satyamurti:** May I know whether the attention of the Government of India has been drawn to the statement of the Crown Representative to the Chamber of Princes the other day in which His Excellency said that all the representations received from the Princes have been considered in the draft Instrument of Accession which has been sent to them, and may I know whether that is the last word on the matter, and whether the Government do not propose to revise the Instrument of Accession further?

**The Honourable Sir Nripendra Sircar:** If it is there, it is there. But I cannot say whether it is the first or the last word.

**Mr. S. Satyamurti:** I do not think my Honourable friend has understood my question. I want to know whether the Honourable Member is aware of the statement which the Crown Representative made that this Instrument of Accession is the result of the consideration of all the representations received from Their Highnesses, and whether it is the last word on the matter or whether the Government propose to consider further any changes which the Princes may make.

**The Honourable Sir Nripendra Sircar:** The words are there, and my Honourable friend can draw such inference as he likes from their construction.

**Mr. S. Satyamurti:** I want to know what are the words from which my Honourable friend wants me to draw the inference?

**The Honourable Sir Nripendra Sircar:** From the whole speech.

**Mr. S. Satyamurti:** May I know whether Government's attention has been drawn to the report issued by the Chamber of Princes that this draft Instrument of Accession be referred to the Hydari Committee, as it is called, and whether Government have heard anything in respect of that matter.

**The Honourable Sir Nripendra Sircar:** Government have heard whatever has appeared in the press.

**Mr. S. Satyamurti:** Apart from that, may I ask whether the Government of India as such have any information upon this matter as to the reference of this Instrument of Accession to any Committee of the Chamber of Princes?

**The Honourable Sir Nripendra Sircar:** Apart from what has appeared in the press, I am not able to disclose any other information.

**Mr. K. Santhanam:** May I ask when the Instrument of Accession will be published for the information of the British India?

**The Honourable Sir Nripendra Sircar:** I cannot say.

**Mr. K. Santhanam:** May I know whether it will be published at all?

**The Honourable Sir Nripendra Sircar:** That also I cannot say.

**Mr. T. S. Avinashilingam Oshettiar:** May I know whether July, the 31st, has been fixed as the last date for reply to be given on this matter?

**The Honourable Sir Nripendra Sircar:** I have previously answered that I am unable to give that information.

#### ENQUIRY INTO THE CONDITION OF MINOR INDUSTRIES.

**1025. \*Mr. S. Satyamurti:** Will the Honourable the Commerce Member please state:

- (a) whether Government have received a communication from the Committee of Indian Chamber of Commerce, Calcutta, urging the Government of India to proceed with and conclude the departmental enquiry into the position of minor industries which was started by them in 1937 and later suspended;
- (b) whether in view of the expiration of the Indo-Japanese trade convention early in 1940, Government propose to avail of this opportunity to assist the struggling minor industries of this country; and
- (c) whether Government are prepared to start the enquiry in time so that the results of the enquiry may be available at the time of the next Indo-Japanese trade negotiations?

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

(b) and (c). The attention of the Honourable Member is invited to the answers given on the 16th February to Mr. Manu Subedar's starred question No. 472 and the supplementaries arising therefrom.

**Mr. S. Satyamurti:** With reference to the answer to clause (c) of the question, may I take it that the results of the inquiry will be available at the time of the next Indo-Japanese trade negotiations? Will Government make every effort to do so?

**The Honourable Sir Muhammad Zafrullah Khan:** I explained on the last occasion why the inquiry could not be proceeded with.

**Mr. S. Satyamurti:** I am simply asking this. We have to start soon the next Indo-Japanese trade negotiations and I want to know whether Government will start the inquiry so that those who are interested in these negotiations may have the results of this inquiry for their use.

**The Honourable Sir Muhammad Zafrullah Khan:** I explained on the last occasion that the inquiry could be undertaken again only if conditions became normal and the inquiry became possible.

**Mr. S. Satyamurti:** May I know if the Government still think that the conditions are abnormal?

**The Honourable Sir Muhammad Zafrullah Khan:** Yes, Sir.

**Mr. Manu Subedar:** May I ask whether Government have any information as to the condition of those industries which have made representations to the Honourable Member's Department?

**The Honourable Sir Muhammad Zafrullah Khan:** I am afraid I am unable to follow the question. What does the Honourable Member mean by the condition of those industries which have made representations?

**Mr. Manu Subedar:** I want to know whether Government have any information as to the condition in which these industries find themselves owing to the cheaper imports of material from Japan about which they complained at the time when they made the representation and whether it is a continuing complaint that these industries are suffering?

**The Honourable Sir Muhammad Zafrullah Khan:** My information is that the pressure from Japan has slackened a good deal.

**Mr. Manu Subedar:** Have Government deputed any Government officer as a result of whose investigations Government are giving the impression that the pressure is slackening?

**The Honourable Sir Muhammad Zafrullah Khan:** That impression is obtained from the trade figures.

**Mr. S. Satyamurti:** With reference to the answer to part (b) of the question, may I ask if Government are satisfied that in respect of no industries is there any need for Government to take any steps with a view to finding out their present position and the possibility of helping them, and that the conditions are abnormal in the case of every minor industry?

**The Honourable Sir Muhammad Zafrullah Khan:** I said last time that it was not so much the severity or the slackness of the pressure which made Government discontinue the examination but that they were of the view that no enquiry which might lead to useful results is possible at the present moment.

#### EXPORTS OF INDIA COFFEE.

1026. **\*Mr. Lalchand Navalrai** (on behalf of Dr. F. X. DeSouza): (a) Will the Honourable the Commerce Member lay on the table a statement showing:

- (i) total exports of coffee from India during the years 1928-29 to 1937-38;
- (ii) exports of Indian coffee during the same period to (1) the United Kingdom (2) all Empire countries, (3) France and (4) all foreign countries; and
- (iii) imports of coffee into the United Kingdom during the same period from (1) India, (2) British East Africa, (3) all Empire countries, (4) Costa Rica, (5) Nicaragua, (6) all foreign countries, and (7) total imports from all countries?

(b) Are Government prepared to consider the advisability of :

- (i) insisting on an enhanced preference on the United Kingdom market in the impending trade agreement; and
- (ii) granting a subsidy to the industry by way of a contribution to the Coffee Cess Committee for propaganda purposes, or otherwise?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) The Honourable Member is referred to Volume I of the Annual Statements of the Sea-borne Trade of British India, Volume II of the Annual Statements of the Trade of the United Kingdom and Accounts relating to Trade and Navigation of the United Kingdom for December, 1938, copies of which are in the Library.

(b) (i). The attention of the Honourable Member is invited to the reply given to part (b) of Mr. S. Satyamurti's starred question No. 288 on the 3rd September, 1937.

(ii) No, Sir. The Indian coffee industry is already assisted by means of export cess collections.

**Mr. Lalchand Navalrai:** May I know if the Coffee Cess Committee has asked for some subsidy in order to meet their expenses?

**The Honourable Sir Muhammad Zafrullah Khan:** I am not aware at the moment of any such request. I would require notice.

**Mr. Lalchand Navalrai:** May I know the reasons why the Honourable Member is not even considering the advisability of taking up that point and giving them something, if the Honourable Member comes to the conclusion that they do require more help than the cess?

**The Honourable Sir Muhammad Zafrullah Khan:** If they require more help than the cess, they would come upto Government for an increase in the cess.

**Mr. Manu Subedar:** Is the Honourable Member in a position to give information to the House whether he has included enhanced preference for Indian coffee in the trade negotiations?

**The Honourable Sir Muhammad Zafrullah Khan:** I am not in a position to give any information.

#### ENQUIRY INTO CERTAIN DISEASES OF TEA GARDEN LABOURERS IN ASSAM.

1027. **\*Mr. Kuladhar Ohaliha:** Will the Education Secretary be pleased to state:

- (a) the result of the enquiry into anæmia among the female labourers in Assam tea gardens; and
- (b) whether any enquiry has been undertaken by the Indian Research Fund to combat the hook-worm disease prevalent among the tea garden labourers; if so, with what result?

**Str Girja Shankar Bajpai:** (a) The Scientific Advisory Board of the Indian Research Fund Association has appointed a Sub-Committee to review the work so far done on this enquiry; the result of the Sub-Committee's enquiry will not be known for some time.

(b) The answer to the first part of the question is in the negative; the second part does not arise.

**Shrimati K. Radha Bai Subbarayan:** Is this enquiry confined only to to anæmia or does it cover other diseases as well?

**Sir Girja Shankar Bajpai:** The enquiry is with regard to anæmia only.

**Maulvi Abdur Rasheed Ohaudhury:** Is it a fact that anæmia among the tea garden labourers is due to the system of early marriage?

**Sir Girja Shankar Bajpai:** I do not know whether the sub-committee will go into that. The point is that the sub-committee is going into the work of some specialists who have been working on this problem for a number of years, and there is some doubt as to whether the investigation is likely to lead to any practical advantage.

**Mr. Kuladhar Ohaliha:** What is the percentage of women suffering from anæmia?

**Sir Girja Shankar Bajpai:** I am afraid that that particular question does not arise. In any case I want notice.

**Prof. N. G. Ranga:** Have Government come to any conclusion as to why the hookworm disease is so prevalent in Assam tea gardens?

**Sir Girja Shankar Bajpai:** This question relates to the enquiry carried on by the Scientific Advisory Board of the Indian Research Fund Association. I have given what all information I have in my possession with regard to the investigation. Whether the Provincial Government has carried on any enquiry into the incidence or the causes of the incidence amongst women in Assam plantations, I am unable to say.

**Prof. N. G. Ranga:** Have Government received any report from the Controller of Tea Plantation Labour regarding the alarming state of health conditions of tea planters in Assam?

**Sir Girja Shankar Bajpai:** Not by the Government of India in the department for which I am speaking.

#### CONTRIBUTORY PROVIDENT FUND ENFORCED IN THE GOVERNMENT OF INDIA PRESSES.

1028. \***Mr. K. Santhanam** (on behalf of Mr. Sham Lal): Will the Honourable the Labour Member please state:

- (a) whether he is aware that a scheme of Contributory Provident Fund has been enforced in the Government of India Presses on the recommendation of an Enquiry Committee held in 1920;
- (b) whether the scheme was enforced in the true sense of the recommendations of the Enquiry Committee and Resolution No. A-81 of June 1920;
- (c) whether it was not distinctly mentioned in Resolution No. A-81 of June 1920 that the scheme of Contributory Provident Fund would be strictly on the lines of the Railway Provident Fund;

- (d) whether it is or is not a fact that this condition is not fulfilled to the extent sanctioned by Resolution No. A-31 of June 1920;
- (e) whether it is not a fact that the scheme of Contributory Provident Fund came actually into being in 1930, though recommended in 1920, and thus imposed a financial loss of their own contributions for ten years to the employees of the Presses; and
- (f) whether Government propose to take steps after reviewing carefully their decision over the matter to enforce the scheme as recommended by the Enquiry Committee in Resolution No. A-31 of 1920?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) and (b). A Contributory Provident Fund for employees of the Government of India Presses was established in pursuance of the resolutions referred to by the Honourable Member and not on the recommendation of any Enquiry Committee.

(c) No. The resolution of 1920 only promised the institution of a Provident Fund on the general lines of the Provident Funds for State Railways.

(d) Does not arise.

(e) Yes, but the fact that the employees were not required to subscribe during the intervening period cannot be said to have imposed financial loss on them.

(f) Does not arise.

#### INDUSTRIAL LEAVE RULES IN THE GOVERNMENT OF INDIA PRESSES.

**1029. \*Mr. K. Santhanam** (on behalf of Mr. Sham Lal): Will the Honourable the Labour Member please state:

- (a) whether it is a fact that Industrial Leave Rules in Government of India Presses came into force in 1928;
- (b) whether it is a fact that by the application of the above Rules the employees of Government of India Presses have been totally deprived of *casual leave*;
- (c) whether it is also a fact that the Industrial Leave Rules are applied even to the employees who were recruited long before their enforcement; if so, why the Rules which were introduced long after their appointment should apply to them; whether there were any such terms of service at the time of their appointment;
- (d) whether the Honourable Member is aware that a further period of five days has been granted to those who were already enjoying the benefit of casual leave for ten days; if so, why the others have been treated in a different way;
- (e) whether the Honourable Member is aware that, in the absence of casual leave, they are going to suffer a great financial loss; and
- (f) whether the Honourable Member proposes to consider their demand?

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

(b) Salaried industrial workers classed as superior and who were appointed permanently in the Government of India Presses after the promulgation of the rules are not entitled to casual leave.

(c) Permanent salaried industrial employees serving in the Presses on the date of issue of the rules in question have been permitted to retain their privileges.

(d) Following the practice in the Government of India offices located permanently in New De'hi, the Controller of Printing and Stationery has extended the period of casual leave from ten to fifteen days in a year in the case of such employees of the Government of India Press, New Delhi, as are eligible for casual leave. The concession cannot be extended to those who are ineligible for casual leave.

(e) No.

(f) No.

**Mr. K. Santhanam:** With reference to part (b), I understood the Honourable Member to say that certain classes of employees are not entitled to this casual leave, may I know why this discrimination is being kept on?

**The Honourable Sir Muhammad Zafrullah Khan:** This is with regard to the character of their employment.

**Mr. T. S. Avinashilingam Chettiar:** What are the classes of people to whom the casual leave due is not allowed?

**The Honourable Sir Muhammad Zafrullah Khan:** It is not a question of what is due. The rules provide that certain industrial workers will not be entitled to casual leave.

**Mr. K. Santhanam:** May I know whether Government will consider the advisability of amending the rules so as to allow casual leave for these workers?

**The Honourable Sir Muhammad Zafrullah Khan:** I am afraid not.

**Mr. T. S. Avinashilingam Chettiar:** May I know whether Government will examine this question from this point of view?

**The Honourable Sir Muhammad Zafrullah Khan:** The question was examined when these rules were modified.

#### GOVERNMENT OF INDIA PRESS WORKERS UNION, NEW DELHI.

1030. **\*Mr. K. Santhanam** (on behalf of Mr. Sharn Lal): Will the Honourable the Labour Member please state:

(a) whether he is aware that a Union named Government of India Press Workers Union, has been organised by the employees of the Government of India Press, New Delhi;

(b) whether he is aware of the functions, constitutions and source of its funds;

- (c) whether it is a registered body under the Trade Unions Act, 1926, and whether it has been recognised by the Government of India;
- (d) whether in doing so, any conditions have been imposed on it by the Government of India in the Labour Department; if so, what those conditions are; and
- (e) whether he is aware of some more restrictions imposed on it by the Controller of Printing and Stationery; if so, what those conditions are?

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

(b) I have seen the relevant rules of the Union.

(d) I lay on the table a statement which gives the information required.

(e) The Controller of Printing and Stationery has issued instructions that any representation which the Union may wish to make to him should be submitted through the Manager of the Press.

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*Conditions imposed by the Government of India in according official recognition to the Government of India Press Workers' Union, New Delhi.*

(1) No representation or deputation shall be received from the Union except in connection with a matter which is, or raises questions which are, of common interest to the class represented by the Union.

(2) Any representations which the Union may wish to make to the Government of India shall be submitted through the Controller of Printing and Stationery, India, and deputations from the Union shall also be received by him.

(3) The Union shall furnish regularly to the Controller copies of any amendments which may be made from time to time in the rules of the Union and of annual statements of its accounts and lists of its members.

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**Prof. N. G. Ranga:** Are Government satisfied on the information they have received in connection with part (b) about the functions of the Union?

**The Honourable Sir Muhammad Zafrullah Khan:** What kind of satisfaction does the Honourable Member want Government to feel over the functions of this Union?

**Prof. N. G. Ranga:** Whether this Union has been recognised by Government?

**The Honourable Sir Muhammad Zafrullah Khan:** That is the question I have answered.

**Mr. K. Santhanam:** With reference to part (d) may I know whether it is the only restriction?

**The Honourable Sir Muhammad Zafrullah Khan:** I have laid a statement on the table.



**GOVERNMENT OF INDIA PRESS WORKERS UNION, NEW DELHI.**

**1031. \*Mr. K. Santhanam** (on behalf of Mr. Sham Lal): Will the Honourable the Labour Member please state:

- (a) whether he is aware of a Resolution passed by the Government of India Press Workers Union, New Delhi, at its annual meeting regarding the appointment of a President from outside;
- (b) whether the Government of India in the Labour Department have arrived at any decision regarding the approval of the appointment of a President from outside; and
- (c) if so, what it is; if not, what the difficulties in the way of Government of India are?

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

(b) The Government of India are awaiting a formal reference from the Controller of Printing and Stationery on the subject.

(c) Does not arise.

**HOSPITALS UNDER GOVERNMENT CONTROL IN DELHI PROVINCE.**

**1032. \*Shrimati K. Radha Bai Subbarayan:** Will the Secretary for Education, Health and Lands be pleased to state:

- (a) the number of hospitals under complete or partial control of the Government of India in the Province of Delhi and whether these hospitals have any governing or advisory councils and, if so, how these bodies are constituted and what their functions are;
- (b) whether treatment in these hospitals is entirely free in the public wards and if not, the scale of charges;
- (c) whether any discrimination is made on racial grounds in the accommodation and other comforts provided for the patients, and if so, the reasons for it and whether there is corresponding difference in the scale of charges; and
- (d) whether the wards and private rooms are classified on communal or racial basis?

**Sir Girja Shankar Bajpai:** With your permission, Sir, I will answer this and the next question together.

I have asked for the information and will furnish a reply as soon as the material is received.

**Shrimati K. Radha Bai Subbarayan:** May I know if Government will also enquire whether it is a fact that Indian Christian nurses are compelled to wear uniform in European fashion?

**Sir Girja Shankar Bajpai:** I shall have that point investigated.

**Mr. S. Satyamurti:** With reference to parts (c) and (d) of question No. 1032, may I know whether the Government of India have any information in their possession as to the discrimination on racial grounds or on communal grounds in these hospitals, which have been run for many years now?

**Sir Girja Shankar Bajpai:** No, Sir. If there has been any information in the possession of the Government of India, it would have been furnished to the House today. On receipt of this question, the Chief Commissioner of Delhi was asked to furnish a report. That enquiry was made on 3rd March. Unfortunately, I had not received the material until yesterday. Otherwise, I should have incorporated the result in the reply.

**Dr. Sir Ziauddin Ahmad:** With reference to part (a) of question No. 1082, may I ask whether there exists any governing body or Advisory Council with regard to these two hospitals, Irwin hospital and Lady Hardinge College and Hospital?

**Sir Girja Shankar Bajpai:** I believe there is a governing body with regard to Lady Hardinge Medical College and Hospital. As regards Irwin hospital, I am not aware whether there is any such body.

**Dr. Sir Ziauddin Ahmad:** Has the attention of Government been drawn to the very unsatisfactory administration in both the hospitals?

**Sir Girja Shankar Bajpai:** That is the statement made by the Honourable Member.

**Dr. Sir Ziauddin Ahmad:** Has the attention of Government been drawn to it?

**Sir Girja Shankar Bajpai:** I cannot say whether at any stage with regard to these hospitals some complaints have not been received. Recently I have received none.

**Mr. M. Asaf Ali:** Is it a fact that the Advisory Committee for the Irwin Hospital of which the Honourable Member has been speaking has not met even once during the last two years?

**Sir Girja Shankar Bajpai:** As I informed the House just now, I was aware of the existence of a governing body for the Lady Hardinge Medical College. But with regard to the Irwin Hospital, I was not aware as to whether there was an advisory committee or a governing body. It follows therefore that I am not in a position to say whether the Advisory Committee if there is one has met within the last two years or not.

**Mr. Badri Dutt Pande:** Has the Government any control over the Eye Hospital that is situated in Daryaganj?

**Sir Girja Shankar Bajpai:** That question was asked by my Honourable friend on a previous occasion and I gave the answer then.

**Mr. S. Satyamurti:** Will the Honourable Member place the information on the table of the House during the Session, in order to enable Honourable Members to pursue the point, if necessary by further questions?

**Sir Girja Shankar Bajpai:** My Honourable friend may rest assured that as soon as I get the information for which I have asked the Chief Commissioner, I shall lay it on the table of the House.

**Dr. Sir Ziauddin Ahmad:** Do these advisory committees send periodical reports to the Government of India?

**Sir Girja Shankar Bajpai:** No, Sir; because, as my Honourable friend is aware, all these institutions are under the control of the Chief Commissioner of Delhi. If there is any procedure for the submission of reports these reports go to the Chief Commissioner of Delhi and do not come to the Government of India.

**WOMEN ON THE NURSING STAFF OF HOSPITALS UNDER GOVERNMENT CONTROL IN DELHI PROVINCE.**

†1033. \***Shrimati K. Radha Bai Subbarayan:** Will the Education Secretary please state:

- (a) the number of women, Indian and non-Indian on the nursing staff of the hospitals under Government control in the Province of Delhi;
- (b) how many of these nurses are on probation and in regular service;
- (c) the number of Indians and non-Indians holding the higher posts, such as, matrons, sisters, wardens and house keepers;
- (d) whether the non-Indian members of the nursing staff are required to pass a test for working knowledge of Indian languages, customs and diet and if so, what are the regulations for it; and
- (e) whether Government have any policy with regard to facilities for the training of Indian women for the higher posts in the nursing service, and if not, why not?

**INDIAN SCHOOL OF MINES AT DHANBAD.**

†1034. \***Sir Abdul Halim Ghuznavi:** Will the Honourable the Labour Member be pleased to state:

- (a) whether the Indian School of Mines at Dhanbad is maintained by the Government of India and was established for the purpose of giving efficient training in mining and geology;
- (b) if it is a fact that till 1934 holders of diplomas in geology from the said institution were not considered even eligible for an appointment under the Geological Survey of India;
- (c) if it is a fact that not a single qualified student holding even First Class Diploma in geology from the said institution has hitherto been appointed to any responsible post under the Geological Survey of India; and
- (d) if it is a fact that the training imparted by the said school is not up to the mark for entitling a student to hold responsible appointment under the Geological Survey of India, and if so, what is the utility of running this Institution at Government expense?

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†For answer to this question, see answer to question No.1032.

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

**The Honourable Sir Muhammad Zafarullah Khan:** (a) Yes.

(b) No.

(c) No.

(d) The reply to the first part is in the negative. The second part does not arise.

#### CHANGE OF HEADQUARTERS OF THE INDIAN AGENT IN CEYLON.

**1035. \*Mr. T. S. Avinashilingam Chettiar:** Will the Secretary for Education, Health and Lands state:

(a) whether he has received a representation from any body of Indians in Ceylon that the change of headquarters of the Indian Agent in Ceylon from Kandy to Colombo would facilitate in his getting into better touch with the Indian community in Ceylon; and

(b) whether Government have considered the suggestion and come to a conclusion in the matter?

**Sir Girja Shankar Bajpai:** (a) Yes.

(b) The matter is under consideration.

**Mr. S. Satyamurti:** May I know whether Government are also considering the matter of having an Agent in Kandy for looking after Indian labourers and a Trade Commissioner in Colombo for attending to the trade relations between India and Ceylon?

**Sir Girja Shankar Bajpai:** The question of Trade Commissioner has to be addressed to the Honourable the Commerce Member.

**Mr. S. Satyamurti:** I am not raising the larger question now but I am asking whether Government have considered the question of relieving the Agent from the duties connected with trade and having this post merely to look after Indian labour and locating this office, one in Kandy and one in Colombo?

**Sir Girja Shankar Bajpai:** In so far as the Agent for whom I am responsible is concerned, he does not deal with trade questions. He deals only with the protection of Indian labour and generally (if you like) with the political status of the Indian community in Ceylon.

**Mr. S. Satyamurti:** But may I know whether Government have considered the question of having another representative of the Government of India in Ceylon, preferably in Colombo, so that the status of Indians there may be related to the question of trade relations between this country and Ceylon from time to time?

**Sir Girja Shankar Bajpai:** I would again submit for the consideration of my Honourable friend that the question whether it is necessary to maintain a representative in Ceylon to look after trade relations is not for my department but for the Honourable the Commerce Member.\*.

## ACTION ON CERTAIN RESOLUTIONS PASSED BY INDIANS IN FIJI.

**1036. \*Mr. K. Santhanam:** Will the Secretary for Education, Health and Lands please state:

- (a) with reference to his answer to starred question No. 69, dated the 4th February, 1939, whether any action has been taken on the resolutions passed by the Indians in Fiji;
- (b) whether any representations have been made to the Colonial Office; and
- (c) the result, if any, of such action?

**Sir Girja Shankar Bajpai:** (a)—(c). The main points raised in the resolutions are already under correspondence with His Majesty's Government.

## GOVERNMENT GRANT TO THE NEW DELHI MUNICIPAL COMMITTEE, ETC.

**1037. \*Mr. K. Santhanam:** Will the Secretary for Education, Health and Lands please state:

- (a) with reference to his answer to starred question No. 67, dated the 4th February, 1939, whether the New Delhi Municipality has taken all possible steps to be self-supporting;
- (b) whether the grant of 3.34 lakhs is a fixed grant for a period of years or fixed annually;
- (c) what are the conditions attached to the grant; and
- (d) whether it is expected that the Municipality will be self-supporting in the near future?

**Sir Girja Shankar Bajpai:** (a) and (d). I have asked for information and will furnish a reply when it is available.

(b) and (c). The total grant to the New Delhi Municipal Committee consists of the annual general grant and grants for specific purposes, such as Education, Medical, Public Health, Veterinary, and so on. The annual general grant has been fixed at Rs. 2.70 lakhs for a period of four years with effect from 1938-39 and its payment is subject to the condition that if there is any improvement in the budgetary position of the Municipality, the amount of the grant-in-aid would be reconsidered. Grants for specific purposes do not vary from year to year with the exception of the grant on account of the Secretary's pay and the educational grant. The latter depends on the number of trained teachers in Municipal schools and several other factors.

**Mr. K. Santhanam:** May I know whether it takes more time for the Government of India to get information from the Chief Commissioner of Delhi than from any other place?

**Sir Girja Shankar Bajpai:** I do not think there is any such general law.

**Mr. K. Santhanam:** May I know the position with regard to clause (d) of the question?

**Sir Girja Shankar Bajpai:** I have already said in reply to parts (b) and (c) of the question that we have fixed the recurring grant-in-aid to the New Delhi Municipal Committee at the figure of 2.70 lakhs for the next four years, the assumption being that it is not likely that there would be any reduction in that grant within the next four years. But we have also reserved to ourselves freedom to reconsider this matter if we find that their income is increasing.

**Mr. K. Santhanam:** May I know if the New Delhi Municipal Committee have taken all possible steps to increase it and have levied all possible taxes permitted for the municipality?

**Sir Girja Shankar Bajpai:** My Honourable friend probably knows that the Chief Commissioner of Delhi has at his disposal now a financial adviser. That financial adviser only recently examined the finances of the New Delhi Municipal Committee and as far as I am aware, on the whole his judgment is that the New Delhi Municipal Committee has done quite well in the matter of levying taxation.

**Mr. K. Santhanam:** May I know if there is any entertainment tax in the New Delhi Municipality?

**Sir Girja Shankar Bajpai:** My Honourable friend asked that question on a previous occasion and I informed him that such a tax can be levied only by an extension of the relevant provisions of the Punjab Municipal Act to Delhi and that then the tax would go not to the Municipality, but to the Central Government.

**Mr. M. Asaf Ali:** Is it not a fact that the main head of receipts, as far as the New Delhi Municipal Committee is concerned, excludes large receipts from terminal taxes, and that is due to the fact that the population of New Delhi is very small and consumption is very little and therefore the New Delhi Municipal Committee can never be self-supporting?

**Sir Girja Shankar Bajpai:** I think that is more a matter of argument than a question for information.

#### HIGHER RATE OF DEATHS IN MINES IN ASSAM.

**1038. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Commerce Member please state:

- (a) whether reports of the Chief Inspector of Mines for the last four years show that the death rate and serious accident rate of employees in mines are invariably much higher in Assam than in Raniganj and Jharia coal-fields the death rate being about three times and the accident rate about twenty times more in Assam;
- (b) the number and rank of officers who inspected the Assam Mines in 1937; also the same information about Bengal Mines;
- (c) the number of mines visited in Bengal and in Assam, respectively; and how many times they were visited; and
- (d) the reasons for Assam's lead in accidents?

**The Honourable Sir Muhammad Zafrullah Khan:** (a), (b) and (d). The information is being collected and will be supplied in due course.

(c) The information required is contained in the annual Reports of the Chief Inspector of Mines in India, copies of which are available in the Library of the House.

**Mr. Brojendra Narayan Chaudhury:** Does the report mention the number of times the mines were visited in Bengal and Assam?

**The Honourable Sir Muhammad Zafrullah Khan:** I think so.

**Prof. N. G. Ranga:** Are any efforts being made by the Government of India to see that these mines in Assam are inspected more frequently?

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

**Prof. N. G. Ranga:** With reference to clause (c) of the question I want to know whether any steps are taken by the Government of India to see that these mines are inspected more frequently than in the past?

**The Honourable Sir Muhammad Zafrullah Khan:** Why should they be inspected more frequently?

**Mr. Brojendra Narayan Chaudhury:** Are Government satisfied that the Inspectors pay the same attention to the Assam mines as they do to the Bengal mines?

**The Honourable Sir Muhammad Zafrullah Khan:** I have no reason to believe the contrary.

**Prof. N. G. Ranga:** Are Government satisfied that every possible step is being taken to see that measures are being taken in the Assam mines in order to prevent these frequent accidents there?

**The Honourable Sir Muhammad Zafrullah Khan:** The Honourable Member responsible for the question has put down certain questions which are designed presumably to show that every possible step is not being taken. And I have said that I have called for information and when I have received that information it is then that I will be able to answer questions of this kind.

#### ANTI-INDIAN RIOTS IN BURMA.

1039. **\*Mr. Brojendra Narayan Chaudhury:** Will the Secretary for Education, Health and Lands please state:

- (a) the number of recrudescence of anti-Indian riots and attacks on Indians as such in Burma since 1st April last;
- (b) the number of Indians who have (i) died, (ii) been seriously injured and the number of Indian houses attacked therein, with the respective Provinces those Indians belong to; and

- (c) whether the new ministry in Burma have been able to restore better conditions of safety for Indians? :

**Sir Girja Shankar Bajpai:** (a) Information regarding occurrences in July, 1938, September, 1938, and more recently in January, and February, 1939, has been furnished to the House from time to time.

(b) The information available regarding last year's riots was communicated in answer to Mr. Amarendra Nath Chattopadhyaya's starred question No. 1120 on the 19th September, 1938, and, on the riots of January last, during the discussion on the adjournment motion on 4th February. Information regarding the number of Indian houses attacked or the Provinces to which the Indian victims belonged is not available.

(c) There have been no Indo-Burman disturbances since the formation of the new Ministry last month. It is, however, too early to say how far the new Ministry will succeed in restoring normal relations.

#### REPEAL OF THE PRESS EMERGENCY POWERS LAWS IN BURMA.

**1040. \*Mr. Brojendra Narayan Chaudhury:** Will the Secretary for Education, Health and Lands please state:

- (a) whether the Press Emergency Powers Laws have been repealed by the Burma House of Representatives; if so, what the effect of the repeal on anti-Indian propaganda would be; and
- (b) whether the repealing Bill was opposed by any Burman Representative; if so, by how many out of how many members?

**Sir Girja Shankar Bajpai:** (a) The Press (Emergency Powers) Law (Repealing) Bill was passed by the Burma House of Representatives, on the 1st March, 1939, but it has since been rejected by the Senate.

(b) The repealing Bill was opposed by the Premier. The voting list, as published, appears to include only one Burman name amongst the 'Noes'.

**Mr. Brojendra Narayan Chaudhury:** How did the Indians and Europeans vote on that occasion?

**Sir Girja Shankar Bajpai:** The Indians and Europeans voted against the motion of repeal.

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#### MESSAGE FROM THE COUNCIL OF STATE.

**Secretary of the Assembly:** Sir, the following Message has been received from the Council of State:

"I am directed to inform you that the Council of State at its meeting held on the 13th March, 1939, agreed without any amendment to the Bill to consolidate and clarify the provisions of Muslim law relating to suits for dissolution of marriage by women married under Muslim law and to remove doubts as to the effect of renunciation of Islam by a married Muslim woman on her marriage tie, which was passed by the Legislative Assembly at its meeting held on the 14th February, 1939."



## THE GENERAL BUDGET—LIST OF DEMANDS—*contd.*

### SECOND STAGE—*contd.*

#### DEMAND NO. 10—INDIAN POSTS AND TELEGRAPHS DEPARTMENT (INCLUDING WORKING EXPENSES)—*concl'd.*

##### *Departure from the Practice of using Urdu Script in Postal Forms—contd.*

**Mr. President** (The Honourable Sir Abdur Rahim): Before, the discussion of the budget is resumed, the Chair would like to mention to the House, with reference to the cut motion which was moved by the European Group the other day, that it could not be concluded, because the House adjourned owing to the sudden death of a Member of the Assembly and the European Group thus lost about half an hour of their time. Yesterday, the Chair was asked what happened to that motion and it said that it lapsed because the time-table was fixed by the Parties themselves and there was no more time left to the European Group. The Chair thinks it ought to qualify that by pointing out that it is open to the other Groups which have yet their cut motions to move to give up, if it suits them, a portion of their time so that the discussion on the European Group's motion might be resumed. The Chair says this specially because apparently, having regard to the subject-matter of the motion, that is, the relations of the finances between the Central Government and the Provinces, it is possible that the House may consider that it is a subject of such importance that the discussion ought to be resumed. That is only for the Parties to decide.

**Mr. M. Asaf Ali** (Delhi: General): May I say a word? If I am not mistaken, the debate on that cut motion proceeded merrily for some time, but the object of the motion was not to censure the Government: it was only just to raise a discussion and in so far as that goes, I think we have had a fairly full discussion.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair is not suggesting that: the Chair means it is for the Parties to decide, having regard to the subject-matter of the motion whether the discussion should be resumed or not, and that can only be done if those who have still motions to move are willing to give up any portion of their time: otherwise, the motion lapses, as the Chair said the other day. The discussion will now be resumed on motion No. 30—the Muslim League Party's motion.

**Sir Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): Sir, this was a very simple issue, but I do not know how Mr. Asaf Ali came to put such a different complexion on it in his most self-contradictory speech yesterday. He can call himself a person who really knows Urdu and he can be a defender of Urdu because he lives in Delhi, where this language has been developed. But if I may be allowed, without wasting the time of the House, to say a few words, I will place the real case. Urdu means really cantonment or camp; and the language which grew up in a cantonment where there was a mixed population of all the provinces and of Muslims from Persia, Turkestan and other places and from them sprang a mixed language which is called Urdu or cantonment language. It is really not a Muslim language: it is wrong to say that Urdu is a Muslim language: it is a language as much of the Hindus as of the Muslims.

I was surprised to hear my friend, Mr. Asaf Ali, say that the language which the Madrassah calls Hindustani is not Urdu; at the same time, he says that the language spoken in the Congress (and the Congress is patron of the Urdu language) and in which the proceedings of the Congress are conducted is the Urdu language and not the language spoken by my friend, Mr. Umar Aly Shah. I question that. I think both are Urdu. There is Urdu which is spoken in Delhi and there is Urdu which is spoken in Lucknow and in Bombay and in Madras. I have been to Madras and I have spoken to a good many people who could speak Urdu all right. He says that Bengalis think it to be the Prophet's language: that may be some ignorant Bengali who thinks so. Urdu has been contributed by many poets who came from amongst the Hindus in much larger numbers and they have contributed to develop it into its present shape as much as the Muslims have done. The grammar of Urdu is absolutely Sanskrit grammar: the words are mixed up from Bengali, Bhasha, Pushto and all other dialects which are spoken in India, as also from Persian and Arabic and a few words of Turki. But if my Honourable friend means the Urdu script then it is different. The script is either the Devnagari script or the Persian script. Khan Bahadur Siddique Ali Khan merely says that some people want money order forms with Persian script as they understand only that script and they cannot read the Devnagari script and they could not obtain such forms in certain post offices: that is the only grievance; and what he suggests is that in all post offices there must be kept a certain number of money order forms which may be supplied on demand. We need not go now into the controversy as to what Urdu is and how it is learnt and how it is derived. We are talking about money order forms. Mr. Asaf Ali probably thinks it will cost something like the military expenditure. I say that even if Gurmukhi is wanted somewhere the post office must supply it in that script to the man who knows only Gurmukhi script. I have got no quarrel with that man. The post office deals with all persons and it must supply in that script also. If a man says he can only read Devanagari script it must be supplied to him in that script. It will not cost much to print the money order forms once for all and supply, say ten forms or so to each post office and when they are exhausted others may be requisitioned. 50 or 20 forms may last for two years—probably some post offices never issue money orders to the extent of more than 20 or 30 each year. If 10 or 15 Urdu forms are kept, it will do no harm. Both the Mover and Mr. Nauman have quoted instances where they personally tried to get money order forms printed in that script but could not obtain them. He simply wants that they may be distributed among the various post offices in India. Certainly the post office prints the forms in one place. They don't employ different presses in different places to print these forms, and so, since these forms are printed in one and the same place, it will not be necessary to incur a lot of expenditure to meet our demand. All that they will have to do would be to print these forms in different languages and in different scripts and supply those forms to the various post offices, so that anybody who wants a form in a particular language or script may be supplied with it, because in that case he will not need to engage the services of somebody else to write out the form in the script or language which he understands himself. We merely wanted to point out the difficulty that exists. We do not want to enter into the controversy of Urdu, Hindi or Nagri Bhasha, nor is it our desire to discuss and decide what should be the *lingua franca* of India. That is a matter which should be decided outside this House by different communities. Here we are

[Sir Muhammad Yamin Khan.]

merely concerned with what the Government Department should do to meet the convenience of the public and what facilities it should provide to meet the demands of the public so that every literate man may write down his own money order form in a language with which he is familiar. I think, Sir, this is a very simple request and the Government must accede to it.

**Some Honourable Members:** The question may now be put.

**The Honourable Sir Thomas Stewart** (Member for Railways and Communications): Sir, this motion has been brought before the House in order to give an opportunity to discuss the departure from the practice of using Urdu script in postal forms. Now, Sir, were I to claim that this motion should be treated on its merits, exactly as it stands on the order paper, my answer would be a very short one, and that would be to say that there has been no departure from the practice of using Urdu script in postal forms; not one atom of evidence has been adduced in the course of the debate to show that this is the case. But I do not wish to take advantage of something that may be a mere defect in the drafting of the motion, and it appeared to me, from what was said by several Members in the course of the debate, that the real charge was not the disuse of Urdu forms, but it was rather that the Posts and Telegraphs Department had been endeavouring to suppress the use of Urdu forms, and, indeed, for that purpose had entered into a conspiracy with the Congress Party. Now, my friend, Mr. Asaf Ali, refuted that proposition yesterday, and I for my part confirm what he has said. Whatever may be our individual inequities and faults, we have not been in conspiracy. Speaking for myself, and speaking on behalf of the Government, I wish to give an equally categorical denial to the suggestion that Government of their own motion, or the Posts and Telegraphs Department, of their own, have been engaged in any such nefarious process as to endeavour to suppress the use of postal forms printed in Urdu script . . . .

**Dr. Sir Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): What about Mr. Jinnah's letter?

**The Honourable Sir Thomas Stewart:** It is not the business, nor the policy, nor the practice of the Posts and Telegraphs Department to take sides on any political or literary dispute. Their conduct in this matter is governed entirely by practical considerations. It is obviously impossible, in spite of what my friend, Sir Muhammad Yamin Khan, said, to print and distribute a supply of forms so that the Pathan from Peshawar may be supplied with an Urdu form at Tuticorin or a Malayalee from the West Coast should find his particular form in Assam. That, I think, is an impracticable proposition. Sir Muhammad Yamin Khan will tell me it is not, but he has only been dealing with one side of the problem. It may be perfectly easy to provide a Malayalam form in Shillong, but, surely, as a corollary to that, if it is to be of any use, I must also provide a Malayalee clerk in Shillong who understands what has been written on the form. The proposition, I suggest, is not a practicable one. We have endeavoured to evolve a working rule, and that rule is to be found in No. 263 of the Indian Telegraph

Rules. That rule was quoted *in extenso* by the Honourable the Mover of the motion yesterday, and so I need quote only a part of it relating to the language in which the entries should be made:

"All the entries made in the form must be legible and may be written in English or in the language of the vernacular of the district".

I am quoting the word "vernacular" as it is here; it may have to be changed to the "prevalent Indian language" later on. Now, the vernacular is prescribed by the Provincial Government concerned. That is the rule, and we have found that in the past it has worked very successfully. But we are not absolutely hidebound; we do not regard that rule as an absolutely cast iron one. The rule is designed to provide reasonable facilities for inter-communication between various parts of India, and if it does, in fact, appear that there is a reasonable, a real and effective demand for an alternative form, then we are prepared to supply it. I say that the demand must be a real and effective one, based on real difficulties of intercommunication, and not merely on the sentiment of a few affected parties. The case against us has been supported, Sir, by a citation of several particular instances. Now, it is very difficult, when one has had no notice at all of a particular instance, to refute that instance or to demonstrate to what extent it fails to support the general case. Nevertheless, I should like to invite the attention of Honourable Members to one or two of the particular instances which have been cited in the course of the speeches which have been delivered in the course of the debate. One particular case referred to was that of difficulty experienced by an officer of a certain Anjuman in Ahmedabad. The underlying claim was that in Ahmedabad there was a very considerable community, speaking Urdu, who experienced difficulties because of the non-supply of Urdu forms. Now, Sir, it surprises me very much indeed to hear that in Ahmedabad, the nerve centre of Gujarat, there is any community which is carrying on its day's work, its lawful avocations, and has not a sufficient knowledge of Gujarathi to carry out all its business transactions by means of the forms that are supplied. This indeed is, I think, one of the cases in which the argument is based rather on sentiment than on practical necessity. But I am open to conviction. If it is really true that there is in Ahmedabad a community who cannot do without the use of Urdu forms, then, most certainly, I shall be prepared to consider the case of supplying those forms. My Honourable friend, Mr. Nauman, also supported the case from his own experience and that of a friend of his in the eastern parts of Bihar . . . .

**Sir Muhammad Yamin Khan:** May I interrupt the Honourable Member? The Honourable Member said that there may be some people who may understand Gujarati in Ahmedabad. But, supposing the money order is intended to reach in Delhi, will that difficulty not be experienced in the Delhi Post Office if the money order is written in Gujarati—to employ a man to translate?

**The Honourable Sir Thomas Stewart:** No, Sir. We have in Delhi clerks who can deal with it. I was saying that my Honourable friend, Mr. Nauman, had supported the cut motion by relating a certain experience of himself and of a friend, which I gather was in the eastern parts of Bihar and in Bengal. He had gone to certain small Post Offices and he had found it impossible to obtain forms in Urdu. But he waxed much

[Sir Thomas Stewart.]

more indignant, not in relation to that fact, but in relation to the fact that letters addressed in Urdu script were delayed in transmission. He put forward a proposition which I am not prepared to accept. His explanation of the delay in transmission was that there had been malice on the part of the distributing officers. That I am not prepared to admit. What really is the case is that the postal officials in that part of the world are not acquainted with the Urdu script, that they have to have the addresses translated for them and for that reason there is delay. And what the Honourable Member's argument comes to is that he supports me and not himself—that there is the best reason in the world why we should not supply Urdu forms there because the Urdu script is in fact not commonly known.

A third important case that was brought before us was the one in regard to Bombay and in regard to which Mr. Siddique quoted an exchange of letters between the Leader of his Party and the Director General of Posts and Telegraphs. I was rather astonished that when he had taken the trouble to read so many letters he did not read the last item in the correspondence. The last item showed that, in spite of repeated enquiries with regard to the matter, we were unable to trace that at any time there had been a supply of Urdu forms to certain sub-post offices, and we were unable to trace that there had ever been any orders countermanding that arrangement. My own interpretation of the correspondence is this,—and the enquiries were carried out by an officer who was not a Hindu but one who I have been informed by more than one Member of this House is an official who is not at all antipathetic to the Muslim community—my own interpretation of his enquiries is this, that, if at any time these forms had ever been supplied, there was no real demand for them, and they were never replaced from the central store, which undoubtedly exists at the Bombay head office. My Honourable friend, Mr. Siddique, also failed to tell us that it was in June, 1938, that certain representations were made by a Muslim Association in Bombay to the Postmaster General of that Circle. They asked that Urdu forms should be supplied. It was within the competence of the Postmaster General to take action on that representation. He has taken action and the forms are now available, and therefore, I suggest that this particular evidence against us has very little weight.

Looking back over the debate, I feel that the speeches which have been delivered have not had in view so much the conviction of Government of a failing or fault—which indeed does not exist,—but it has rather been an attempt to persuade Government, and in particular, the Posts and Telegraphs Department, to take part in a form of propaganda for the popularising of Urdu script.

**Some Members on the Muslim League Benches:** No, no.

**The Honourable Sir Thomas Stewart:** I am giving you my own opinion and I am entitled to that. Now, Sir, I am not going to enter into the controversy as to whether, where and when the Urdu script should be used. I have already said that it is neither our business nor our policy nor our practice to intervene in literary or political disputes, and to that statement of opinion I still adhere.

**Mr. M. Asaf Ali:** May I put the Honourable Member a simple question? May I take it that the Government will be prepared to meet any genuine demand if it is made anywhere for supply of forms in Urdu script?

**The Honourable Sir Thomas Stewart:** That I have stated categorically. If there is a real and effective demand, we shall be prepared to meet it.

**Dr. Sir Ziauddin Ahmad:** What is the meaning of effective demand?

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): Not by one person, but by a large number of persons.

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

"That the demand under the head 'Indian Posts and Telegraphs Department (including Working Expenses)' be reduced by Rs. 100."

The Assembly divided:

#### AYES—12.

Bhutto, Mr. Nabi Baksh Illahi Baksh.  
Essak Sait, Mr. H. A. Sathar H.  
Fazl-i-Haq Piracha, Khan Bahadur Shaikh.  
Ismail Khan, Haji Chaudhury Muhammad.  
Murtuza Sahib Bahadur. Maulvi Syed Nauman, Mr. Muhammad.

Raza Ali, Sir Syed.  
Shahban, Mian Ghulam Kadir Muhammad.  
Siddique Ali Khan, Khan Bahadur Nawab.  
Umar Aly Shah, Mr.  
Yamin Khan, Sir Muhammad.  
Ziauddin Ahmad, Dr. Sir.

#### NOES—41.

Abdul Hamid, Khan Bahadur Sir.  
Ahmad Nawaz Khan, Major Nawab Sir.  
Aney, Mr. M. S.  
Ayyar, Mr. N. M.  
Bajpai, Sir Girja Shankar.  
Banerjee, Dr. P. N.  
Bewoor, Mr. G. V.  
Bhandarkar, Mr. K. Y.  
Chanda, Mr. A. K.  
Dalal, Dr. R. D.  
Dalpat Singh, Sardar Bahadur Captain.  
Frampton, Mr. H. J.  
Gorwala, Mr. A. D.  
Grigg, The Honourable Sir James.  
Hardman, Mr. J. S.  
Jawahar Singh, Sardar Bahadur Sardar Sir.  
Kamaluddin Ahmed, Shams-ul-Ulema  
Kushalpal Singh, Raja Bahadur.  
Lalchand Navalrai, Mr.  
Lillie, Mr. C. J. W.  
Mackeown, Mr. J. A.  
Maitra, Pandit Lakshmi Kanta.

Maxwell, The Honourable Sir Reginald.  
Menon, Mr. P. A.  
Menon, Mr. P. M.  
Metcalf, Sir Aubrey.  
Mukerji, Mr. Basanta Kumar.  
Nur Muhammad, Khan Bahadur Shaikh.  
Ogilvie, Mr. C. M. G.  
Parma Nand, Bhai.  
Row, Mr. K. Sanjiva.  
Sant Singh, Sardar.  
Sher Muhammad Khan, Captain Sardar Sir,  
Sircar, The Honourable Sir Nripen dra.  
Slade, Mr. M.  
Som, Mr. Suryya Kumar.  
Spence, Mr. G. H.  
Stewart, The Honourable Sir Thomas.  
Sukthankar, Mr. Y. N.  
Sundaram, Mr. V. S.  
Zafrullah Khan, The Honourable Sir Muhammad.

The motion was negatived.

**Mr. H. A. Sathar H. Essak Sait** (West Coast and Nilgiris: Muhammadan): I want to move cut motion No. 9 on Supplementary List No. 3.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair understands that the object of the motion is to discuss the unsatisfactory position of Moplah prisoners and internees and the need for their release. Is that not a provincial subject?

**Mr. H. A. Sathar H. Essak Sait:** I do not think it is a provincial subject, because the prisoners mentioned here are distributed in so many provinces, and I think the Centre has something to do with it.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must show how the Centre has got something to do with it. If there are Moplah prisoners in a number of provinces, each province has got to deal with them. It is the responsibility of the provinces.

**Mr. H. A. Sathar H. Essak Sait:** That must be done through the Centre. They must be under the orders of the Central Government. Otherwise it is not possible for them to be distributed.

**Mr. President** (The Honourable Sir Abdur Rahim): Jail administration, the Chair understands, is a provincial subject and, therefore, if there is any grievance with respect to the administration of jails in any province, then it is that Government that must be approached and not the Central Government.

**Mr. H. A. Sathar H. Essak Sait:** All of them are not prisoners. There are some internees and detenus. They must be under the Central Government.

**Sir Muhammad Yamin Khan:** Provincial Governments have certainly got full control over the jail administration but no Provincial Government has got any right to send out a man outside the province into another province. That can only be done through the Central Government.

**The Honourable Sir Reginald Maxwell** (Home Member): The Central Government is not responsible for these prisoners. Wherever they are detained, they are not prisoners of the Central Government now under the present constitution, whether they are prisoners convicted by the courts of law or whether they are State prisoners. The Central Government is only responsible for convicts or detenus or State prisoners who are kept in custody in respect of the Centrally administered areas or in respect of the functions of the Central Government, that is, Defence or External Affairs. As regards those prisoners, wherever they may be detained, we have no knowledge of them.

**Mr. President** (The Honourable Sir Abdur Rahim): What about the internees?

**The Honourable Sir Reginald Maxwell:** In the case of internees similarly, they are not the concern of the Central Government.

**Mr. President** (The Honourable Sir Abdur Rahim): Are any of them interned under any Regulation?

**The Honourable Sir Reginald Maxwell:** We do not know whether there is still any in custody, but even if there are prisoners under the Madras Regulation still it is only the Provincial Government which has power to deal with them or to release them or to take any other measures in regard to them.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member means prisoners convicted or detained under the Regulation? Are they not under the orders and directions of the Central Government?

**The Honourable Sir Reginald Maxwell:** Not under the orders of the Central Government, except in respect of Centrally Administered Areas. These Moplah prisoners belong to the Madras Presidency and it is only the Provincial Government of that presidency which has power to deal with them in any way.

**Dr. Sir Ziauddin Ahmad:** There are a certain number of Moplahs in Bihar. They are not put in jail. They are allowed to move about from one place to another and they cannot stay for more than two months in one place and they have no means of livelihood and no means of supporting themselves. They get no subsistence allowance and they beg for their bread. Under whose orders are they forced to wander—of the Bihar Government or the Madras Government or the Central Government?

**The Honourable Sir Reginald Maxwell:** The Madras Government is the only Government which is aware of the conditions of their internment. We have absolutely no information about the existence of such prisoners in Bihar or elsewhere.

**Maulvi Syed Murtuza Sahib Bahadur** (South Madras: Muhammadan): With your permission, Sir, I wish to represent one fact. So far as I know, it is the Central Government which is responsible in the case of the Moplahs. You may remember that during the Home Membership of the late lamented Sir Alexander Muddiman we represented the case of these Moplahs and a delegation was sent by the Government of India to the Andamans and I was one of the members of that delegation. We went over there and inquired into the difficulties of the Moplahs and not only those Moplahs but their families also were sent . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The administration of the Andamans is under the Central Government; that is a Centrally Administered Area.

**Maulvi Syed Murtuza Sahib Bahadur:** They are under the Central Government. The other Moplahs with which the Provincial Government were concerned, after the advent of the Congress Government, have been released, and it is only these detenus and other prisoners who are lingering there about whom we want to raise this point . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Are there any of these prisoners in the Centrally Administered Areas?

**The Honourable Sir Reginald Maxwell:** No, Sir; my information is there are none in the Andamans now.



**Mr. President** (The Honourable Sir Abdur Rahim): From what facts are from the Honourable the Home Member, as regards the control of these prisoners, the Chair must hold that the Central Government is not responsible and, therefore, this motion is not in order.

*Carrying on a one-sided Propaganda and withholding Telegrams sent by the Rival Party.*

**Dr. Sir Ziauddin Ahmad:** Sir, I should like to move motion No. 17 on the Final List.

**Mr. President** (The Honourable Sir Abdur Rahim): Has notice been given?

**Dr. Sir Ziauddin Ahmad:** Notice was given. It was originally put down in the name of Maulvi Abdul Ghani, but I also gave notice of a similar amendment here. Sir, I move:

“That the demand under the head ‘Indian Posts and Telegraphs Department (including Working Expenses)’ be reduced by Rs. 100”—(To discuss it for allowing the Department to carry on a one-sided propaganda and withholding the telegrams sent by the rival party).

Sir, it is said that Parliament can do everything except making man a woman and a woman a man, but I feel that “Propaganda” can do even more than what Parliament can do. Therefore, the effect of propaganda now is exceedingly greater than we realise. The great war was won not by army but by propaganda. I had several instances that came to my notice recently, but many more to the notice of Maulvi Abdul Ghani who was to move the motion. Unfortunately he is not here now. Whenever anything happens in a town, and I speak from my experience of Aligarh, then the district magistrate sends telegrams of his version to the Press and higher authorities. Now the telegrams that are sent by the people to emphasize the other point of view are with-held by the district magistrate and are not allowed to proceed. Of course, the district magistrate has got powers under rules which are incorrectly framed to with-hold a telegram of a sensational nature but this power is very often misused in the matter of carrying on one-sided propaganda which the district magistrate has in his mind and the telegram sent by the people even to the ministers and the Governor, not speaking of Press, are with-held, sometimes altogether and sometimes delayed so that they do not reach the addressees in proper time. I will give one definite instance, namely, of what happened about the Aligarh incident six weeks ago. When I was in Bombay I read a sensational telegram which was published under the name of District Magistrate, five revolver shots were fired at students of Aligarh University, who burnt Police tents and intervened the approach of fire brigade, and shops were looted. Why was this sensational telegram accepted by Post Office. Incorrect telegrams of alarming nature were published, but contradicting each other. I myself got the impression which was absolutely wrong and the Government of U. P. got the same, and the public got the impression by reading one-sided news that it was the students who were to blame, and that they burnt the tents and burnt everything and the police was not to blame at all. No mention was made that it was police who first began lathi charge, and students beat them in retaliation, as they were not the believer of non-violence. But I discovered that a number of telegrams that were sent by the other side to the Press, to

the Premier and to the Governor were all with-held by the district magistrate; so in this case only a one-sided propaganda was allowed to be carried on by the Post Office and I think everybody believed and the conclusion was justified by the one-sided propaganda, that the fault entirely rested with the students, while in fact, as I discovered when it was too late that the students did not burn the tents. One-sided telegram made no mention of orderly behaviour of students and resolutions passed by shop-keepers and this was carried on by the repeated publication of telegrams by the enemies of the University and by the suppression of telegrams representing other side.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): Who suppressed the telegram?

**Dr. Sir Ziauddin Ahmad:** A number of telegrams were also sent by persons representing the other people.

**Sir Cowasji Jehangir:** Who suppressed the telegrams?

**Dr. Sir Ziauddin Ahmad:** A nationalist according to my yesterday's definition. So what I want to press is that the power given under the rules ought to be used with great discretion. Nowadays we know that the situation has entirely changed and the rule should also change. We have got a number of communal troubles and fights going on as a result of mismanagement of Congress, and we find that only one-side statement is published. I will not here rebuke the Press, I have a separate cut motion. As far as the Associated Press is concerned, I have got a definite complaint that they appoint their correspondents in a manner that they get only one-sided information which they publish and I can cite a number of cases. The object of Associated Press for whose maintenance I also pay is to give uncoloured news and let the public to draw its own conclusion. In this case Associated Press did not publish the news sent by the University, but this is not the issue at present. The issue at present is this that whenever any person brings a telegram to the telegraph office and pays the charge, then I think, unless there is a very strong justification otherwise, there is no reason why, in normal conditions, the district magistrate should stop the telegram altogether. This is a great misuse of the provisions of the Posts and Telegraphs code. If a person says that there was a great earthquake and all the buildings were destroyed, then evidently the telegraph clerk has a right to stop such a sensational telegram. But whenever a telegram is sent to the higher authorities, such as the Commissioners, the Premiers or the Governors, one cannot expect that any sensation will be created and there is no justification for stopping even that telegram. I think the post office by stopping the telegram and allowing one-sided telegram to be despatched day after day have done a great injustice to the Aligarh University and have shown the whole of the students community in wrong colour. I myself got the other impression about this affair and I have some sympathy with the Governor and Premier who formed opinion on reading one-sided story when I made enquiries. I found that only one-sided telegrams were published. Children and youngmen boast that they have beaten, even when they are kicked. We should not go by the false account of heroism, expressed in any letter. The telegrams from the other side were suppressed. The matter is very important and this sort of thing is now happening day after day in various

[Dr. Sir Ziauddin Ahmad.]

towns. Therefore, I think that instructions ought to be issued to the post offices not to stop any telegram or any letter. I would go one step further and suggest that copies of such telegrams as are stopped by the post offices should be sent to the Postmaster General so that he may be in a position to judge whether the action of the District Magistrate was correct. In every case the sender should be informed that his telegram is stopped and money is returned. A special code should be framed and rules should be drafted to see that only those telegrams are stopped which are wrong and are likely to produce some kind of unjustifiable consternation in India but no telegrams should be stopped which represent the views of the other side and which are sent by responsible persons or a recognised Society or an *anjuman*. The public should have power to file civil suits, if telegrams are unjustly withheld. These things are now happening very frequently and it is very desirable that at least the Government of India should not help local troubles. The Honourable Sir Thomas Stewart said only a few minutes ago that it is not the business of the Government to carry on the propaganda for any particular party or enter into a political controversy. I wish he could keep his words in this particular case and it is just my point. He should not press it when it suits him and give it up when it does not. In this particular case, we simply want him to adhere to his principle, and that the Postmaster General ought to be warned that it is not the business of the Government of India to carry on any propaganda. Every telegram ought to be despatched. If a telegram is withheld because it was of a sensational nature, a copy of it ought to be sent to the Postmaster General for scrutiny. The despatcher should be informed, his money should be returned and he should have power to sue in a civil court. If that is done, the District Magistrate will think several times before he takes such a drastic action, which he now takes in a light-hearted manner. In each case the money ought to be returned. The post office by accepting a telegram and thus withholding it gives an absolutely wrong impression to the person who sent it. He thinks that the telegram has been despatched but it is lying in the office of the telegraphs clerk all the time. I have given the House one example in which a definite harm has been done to the Aligarh University. I would like to mention another case in which a telegram was sent about the affairs in connection with the Muharram at Aligarh. I saw a copy of this telegram which was brought to me here by the representatives of the Aligarh Muslim League. This telegram was also suppressed and I had to send the correct information only from Delhi because no information could be sent from Aligarh. The gist of the matter is that the District Magistrate is being permitted to carry on a propaganda which suits him and he passes orders to suppress the counter-information either to the press or to the higher authorities. This kind of action is not justifiable, whether done by the District Magistrate or the Superintendent of Police, or any Military authority in cantonment area. After all, the world ought to know what the facts are, I cannot imagine any justification for stopping a telegram to higher authorities. With these words, Sir, I move the motion.

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

"That the demand under the head 'Indian Posts and Telegraphs Department (including Working Expenses)' be reduced by Rs. 100."

**Mr. M. S. Aney** (Berar : Non-Muhammadan): Sir, one really sympathises with much that is said by Dr. Sir Ziauddin Ahmad on the question raised by him. It is really a pity that there should be some legal arrangement by which it is possible for the Government to permit only one-sided propaganda and, at the same time, suppress the other side. At times, such a state of things is bound to cause a good deal of misunderstanding, mischief and even injury, as has been very eloquently pointed out by Dr. Sir Ziauddin Ahmad, particularly in the case of the Aligarh University students. But the point is this: How is the Postal Department concerned with this matter? That is a point which I have not been able to understand. When my Honourable friend, Sir Cowasji Jehangir, put a question to Dr. Sir Ziauddin Ahmad as to who suppressed the telegrams and under whose orders it was done, he said it was done under the orders of the District Magistrate. If that is so, then does my Honourable friend mean to say that it should be open to the Postal Department not to carry out the orders of the District Magistrate in a matter of this kind? Virtually in his own discretion the District Magistrate may think that the propagation of a particular news may not be desirable in the interests of peace and order. His opinion may be entirely wrong, it may be even perverse; but the Postal Department comes in only in this way that it carries out the instructions of the District Magistrate with regard to that particular piece of news. Unless my friend has to urge that by carrying out those instructions the Postal Department is doing something which is illegal, he cannot justify his censure motion. If that is his position, I think there is a good ground for complaint. I do not know whether the Indian Post Offices Act does permit the postal authorities to ignore, at least in certain exceptional cases, the instructions of the District Magistrate on points of this kind. If there is no such provision, anywhere, in the law as it is which enables the postal authorities to ignore the instructions from the District Magistrate, then in a matter of this kind, I believe, our complaints should be laid at the door of somebody else and not at the door of the Postal Department. That is the only difficulty. But, so far as the power of suppressing the news which is opposed to the information which the Government want to circulate is concerned, I think this power is vested in the District Magistrate and, if my friend wants to lodge a protest against that, it is a different thing. But the cut motion, as it stands, is a protest against the Posts and Telegraphs Department, and, if I mistake not, not against the District Magistrate. If it is a complaint against the District Magistrate, probably it may not find place under that particular heading at all. There may be many Members in this House who may think that something should be done to qualify the powers of the District Magistrate in a matter of this kind. One may agree with all that. But I believe it is a question that would have to be properly dealt with not by the Central Government here but by the Provincial Governments.

**Dr. Sir Ziauddin Ahmad:** No. The Post Offices are under the Central Government.

**Mr. M. S. Aney:** The power that is vested in the District Magistrate is a matter which does influence his executive capacity.

**Mr. S. Satyamurti** (Madras City: Non-Muhammadan Urban): What is that power?

**Mr. M. S. Aney:** I do not know, but our learned friend says that the power is there; under his instructions the whole thing is done. If he had pointed out a particular section of the Post Offices Act under which the District Magistrate has got that power, it would have been all right. So the protest is against that particular Act which vests the District Magistrate with a power like that. But that will not be the proper ground for complaint against the postal authorities as such. That is my difficulty in accepting this particular motion. Otherwise I entirely agree as regards the substance of the complaint which he makes.

**Mr. K. Santhanam** (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, I do not know what exactly Dr. Sir Ziauddin Ahmad wants. But I know this, that even press telegrams are intercepted on their way. I can quote a concrete instance to illustrate my point. Once the Jubbulpore correspondent wired to my paper the *Indian Express* in Madras some incidents relating to atrocities committed by soldiers in Jubbulpore. That telegram was not despatched to us and no intimation was given either to the correspondent or to the newspaper about its stoppage. We got information of the incidents by post. Somehow they could not intercept or detect the letter that was posted to us. We got the information by post and we published it. It was found out, afterwards, that the incidents were entirely accurate and many questions were asked in this Assembly and the Government had to explain and do other things. The point at issue is what is the procedure adopted by the Postal Department? Whenever a message is given by a Press correspondent, do they refer it to any authority, civil or military? If the postal authorities do refer, on what basis or under what law do they refer? Is it not their duty to see that immediately the telegram is transmitted leaving it to the civil or military authority to find out on their own initiative and issue orders. The whole point is whether the Postal Department takes the initiative in referring the telegrams or whether they have got any power inherently to stop any telegrams or messages on mere suspicion. These are the two relevant issues. If they do not take any initiative whatsoever, if they do not inform any authorities whatsoever, then they have no responsibility. But the strong suspicion is that when the postal authorities get telegrams of a political or a topical nature, they refer them to the civil or military authorities and take orders from them. If that is not the case, I want a categorical assurance that whenever Press correspondents hand in messages for despatch, they are kept secret by the telegraph people and that they are automatically transmitted to the addressee. How do people get to know which telegram is handed over at the Telegraph office? If a satisfactory explanation is offered on this point, I think, Dr. Sir Ziauddin Ahmad will be able to reconsider the matter. If there is no responsibility attaching to the Posts and Telegraphs Department, then he may move a cut motion against the Home Department which must be directly responsible for the affair. Otherwise, if the Posts and Telegraphs Department have got any function in this matter, if they have got to refer the telegrams to any outside authority, civil or military, and take orders from them, then the Posts and Telegraphs Department become accessories to the stoppage of messages sent by people who are concerned in the affair, and in that case we must whole-heartedly support Dr. Sir Ziauddin Ahmad's cut motion. I, therefore, want an explanation on these two points from the Honourable Member in charge of the Posts and Telegraphs Department.

**Mr. Muhammad Nauman** (Patna and Chota Nagpur cum Orissa: Muhammadan): Sir, I rise to support the cut motion of my Party. In moving this cut motion the chief idea is to find out what is the exact process which the postal authorities follow when they receive a telegraphic message for despatch. What instructions have they got from the authorities? As my Honourable friend, Mr. Santhanam, just now pointed out, what we want to accuse the Posts and Telegraphs Department is based on information that they do take the initiative and refer the matter to the executive authority, civil or military, and they get certain orders to stop the telegrams. In this way the military authorities or the civil authorities take steps to stop the propaganda which they do not like. Is there any Regulation or Rule by which the postal authorities are under obligation to refer such messages to the executive authorities of the place and then send out those messages? Or, do the postal authorities on their own whims do so in order to secure the peace and tranquillity of the country and suppress such messages? Our suspicion is that the postal authorities are responsible for suppressing the telegrams. Our demand is twofold. On the one hand the magisterial authority which is now under the Provincial Government should not be an authority to give orders for the stoppage of certain messages. If my information is correct, I think the Magistrates are not empowered to stop the telegrams despatched to official heads of the rank above themselves, i.e., Magistrates, such as Ministers or the Governor. Probably, even in the interest of peace and tranquillity of the place, the Magistrate has no authority to stop such telegrams. If this is the position then it means that the postal authorities are doing a courtesy in suppressing messages on their own initiative. Of course, it will depend upon the reply which the Honourable Member for Communications will give us how things stand. Our experience is that in such cases, the messages are not despatched promptly. They are delayed either under instructions from the executive authority or on the initiative of the postal authorities on spot. We have no definite information as to who is responsible for the stoppage of telegrams. But we know in many cases the telegrams are delayed, sometimes to the extent of even 24 hours and, in some cases, even 48 hours, or sometimes the telegrams are never despatched at all as has been just now pointed out by my Honourable friend, Dr. Sir Ziauddin Ahmad. I am not going to enter into details to give the different versions which have been communicated to us as to how things are done. We are certainly interested in knowing whether the Government have any information on such affairs and if they have what is the position they take? Do they propose to issue instructions to the postal authorities that no message should be suppressed under instructions from any executive authority unless it be of such alarming nature as may create havoc or mutiny in the country.

In order to avoid any controversy as regards the timing when a telegram was received and when it was despatched, I suggest that some sort of arrangement should be made by which the man receiving the message could give the time on the receipt that is granted to the sender of the telegram. This would help us in approaching the authorities whenever we have got a complaint to make that a telegram was handed in at, say 10 A.M. and that it was not despatched till a very late hour and so on.

**The Honourable Sir Thomas Stewart:** It is always done.

**Mr. Muhammad Nauman:** Not to the sender of the telegram. Supposing I tender a message at say 10 A.M. and supposing it is not despatched by

[Mr. Muhammad Nauman.]

the Telegraph Office till 4 P.M. on the same day, what evidence have I got in my possession to prove this fact.

**Mr. G. V. Bewoor** (Director General, Posts and Telegraphs): The time of receipt is marked on the telegraph form immediately.

**Mr. Muhammad Nauman:** That is for the reference of the Telegraph authorities. But there is nothing to show in the receipt granted to the sender of the telegram that it was received at such and such a time and that it was despatched at such and such a time. Here I am reminded of the verse of Galib which says:

*"Pakre-jate-hain frish-tonke lekhai, par nahuq*

*Admi koi hamara damey tahrir bhi tha."*

It means that we are only being made responsible for the writing of other people although we have no evidence in our possession to produce. That is the correct explanation of the line that I quoted. So, if it be not impossible and if it does not involve the department in very great financial liabilities I would suggest that it may be considered whether it is possible for Government to see that the timings are written out on the receipts that are given to senders. I hope Government understand the motive of this cut motion and we should like to know how things stand. We know certain facts but we do not know how they happen, and this is a thing which the Honourable Member or Mr. Bewoor can explain. On their reply will depend our decision as to how we will behave in voting.

**The Honourable Sir Thomas Stewart:** Sir, in the first place I should like to give an answer to the very precise queries that were put to me by Mr. Santhanam. The statutory authority for the detention of telegrams is to be found in section 5 of the Indian Telegraph Act which I will read out:

"(1) On the occurrence of any public emergency or in the interest of the public safety the Governor General in Council or the Local Government or any officer specially authorised in this behalf by the Governor General in Council may—

- (a) take temporary possession of any telegraph established, maintained or worked by any persons licensed under the Act, or
- (b) order that any message or class of messages to or from any persons or class of persons or relating to any particular subject brought for transmission by or transmitted or received by any telegraph shall not be transmitted or shall be intercepted or detained or shall be disclosed to Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under sub-section (1) was in the interest of the public safety a certificate signed by a Secretary to the Government of India or of the Local Government shall be conclusive proof on the point."

That is the statutory authority in virtue of which rule 15 of the Indian Telegraph Rules has been framed which runs as follows:

"A telegraph office shall refuse to accept or forward any telegram or any part of a telegram of a plainly objectionable or alarming character.

In cases of doubt the matter shall be referred by the officer in charge of the telegraph office to a Secretary to Government or other officer nominated by the Local Government from time to time for this purpose if the office is located at a seat of Government or to the chief civil or military officer if the office is located elsewhere."



These are the obligations which are imposed on the Telegraph Department. They may be good or they may be bad, but I do claim, Sir, that we are not deserving of censure if we have followed the statutory obligations that have been laid upon us.

Now, Sir, Dr. Sir Ziauddin has said that there are many instances in which these powers have been misused. Two cases of that nature or purporting to be of that nature, and two only, have been brought to my notice in connection with this cut motion. Both have been investigated. One occurred at a place called Hassanpur in the Darbhanga district and the allegation was that a telegram giving a party view of an occurrence,—it was a communal riot,—had been held up by the telegraph office. On investigation we found, in the first place, that the telegram had been drafted by the Subdivisional Magistrate who was in charge of that locality; and, in the second place, that the delay was entirely due to the fact that a mob intervened between the messenger and the telegraph office from which he sought to send off that message. The second instance has relation to an occurrence in Aligarh. A telegram was received; the despatching clerk had doubts as to whether or not it was of an alarming nature. He took it to his Superintendent, who, I may mention in passing, was a Muslim, who advised that it should be taken to the District Magistrate and it was held back under the orders of the District Magistrate. In no way was there any departure from the obligations which are laid upon us by the Statute and the rules framed thereunder. In these circumstances and in view of this explanation I think this House should hold that if there have been occurrences of this kind the Postal Department is in no way to blame.

**Dr. Sir Ziauddin Ahmad:** Sir, our point was that the rules which have been framed are not correct rules, and at present they are misused by the district authorities. I might say that whenever any telegram is withheld, information should be given to the man who sent the telegram, so that he might know that this telegram has been held up; and in each case an inquiry be made by the postal authorities.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot be allowed to make a second speech.

**Sir Muhammad Yamin Khan:** Sir, after listening to the speech of Sir Thomas Stewart I am all the more convinced that the responsibility for this detention of telegrams lies with the Government of India because the persons who are doing this are working under the authority given to them by the Government of India under the Statute.

**The Honourable Sir Thomas Stewart:** Sir, does the Honourable Member suggest that the members of the Postal and Telegraph Department are not bound by that section of the Act and by the rule which I quoted?

**Sir Muhammad Yamin Khan:** Yes, but the section refers to the Governor General in Council, the Local Government or a person authorised in this behalf by the Governor General in Council. So the person does not come in *ipso facto* under the Act but he has to be appointed by the Governor General in Council. The rule framed under this section is that the matter may be referred to the civil or military authorities if the office is



[Sir Muhammad Yamin Khan.]

not located in the headquarters of the Local Government and it says that the telegram must be of an alarming nature. The postal clerk is not subordinate to the Local Government but he is subordinate to the Government of India and if the Government of India's man, without any justification, goes to the civil authorities saying "Here is a telegram of an alarming nature", and if the Government of India find that the man has acted wrongly and the telegram was not of an alarming nature and that he proceeded to the civil authorities without justification, then the responsibility rests on the postal department. Why do they employ a man of this kind who cannot distinguish whether a telegram is of an alarming nature or not? Mr. Santhanam has mentioned one instance where a telegram was detained by the post office. I pointed out another instance where certain telegrams—five or six—in Aligarh, were sent so recently as the 10th day of the Muharram: one was addressed to the Viceroy, one to the Governor of the United Provinces, one to the Premier of the United Provinces, one to the Secretary of the Muslim League and one to the Rajah of Mahmudabad and one to the Revenue Minister of the United Provinces: all these were withheld and they were not sent in time to these authorities, and when the man inquired next day he was informed that he may go over to the post office and find out . . . .

**The Honourable Sir Thomas Stewart:** May I explain to the Honourable Member that that is the particular instance to which I referred? There was one telegram with multiple addresses, and that is the telegram which was withheld under the written orders of the District Magistrate of Aligarh.

**Sir Muhammad Yamin Khan:** I thought that the Honourable Member was referring to the telegrams mentioned by Dr. Sir Ziauddin. I know now that the telegram in question is the subject matter of my questions. If the District Magistrate has done like this, will the Honourable Member try to find out if those telegrams were of an alarming nature? They were complaints against the District Magistrate himself and they asked that other authorities should interfere. Can the District Magistrate interfere simply because they were against him? The Governor and the Premier are certainly the authorities who could have been approached and every citizen has a right to approach them by telegram saying that such and such action of the District Magistrate is going to lead to communal disturbances. I agree that it might be a Muslim superintendent who withheld this telegram, but I have got no sympathy for a man whether Muslim or Hindu if he has done wrong. He has done wrong and should be dealt with according to the rules and should not be allowed to interfere in such matters in this way. After the Government of India deal with their employees, they may send their opinion that the other man is responsible for withholding a telegram addressed to the Local Government and the Local Government may deal with him properly. If the District Magistrate has acted wrongly he will be dealt with by the Local Government and the Government of India can say: "We have taken action against our man and you can take action against your man. Our man was wrong in sending it to your man and your man was wrong to suppress it from you." Unless this is done the Government of India cannot run smoothly if they are interfered with by the officers of the Local Government. If something existed in the past when that unjustifiable rule was framed, the defect

has now come to the notice of the Government and they must take action to change the rule which is no longer required. It is necessary that the rule should be framed according to the spirit of the section and not in its present form.

I have come to know that the Honourable Member has come into possession of the facts of the Aligarh incident and if we know that the Government will take suitable action against their own employees and will forward the complaint of this House to the other authorities who can deal with the person who is their subordinate, then we will be satisfied that the Government is trying to remedy the defects which have come to light in the changed circumstances of provincial autonomy and then we will be perfectly satisfied.

**Mr. S. Satyamurti:** Sir, the cut motion moved by my Honourable friend, Dr. Sir Ziauddin Ahmad, raises a first class issue. It is not a question of the Government transmitting a complaint to somebody. This House, in a matter of this kind, is sovereign and is vitally concerned; and I do plead with my friend, Sir Muhammad Yamin Khan, not to reduce this House to a house of petitioners, saying "If you will forward such and such a complaint, we will not press it." It raises a first class issue, and the issue is whether the existence of this power in the Government is right, and secondly, whether it is properly exercised. I was distressed beyond measure to hear my Honourable friend, who is soon going to be the Governor of a Province, use the argument this morning that the person who did this is a Muslim and, therefore, you must not complain against this. I do beg of him and of the Government of India not to use this argument. A government servant is a government servant, and is expected to do his duties, whether he is a Hindu or a Muslim or a Christian or a Parsee or a European. This sort of argument undermines the morale of our whole service: the Hindus are afraid of doing justice where Muslims are involved, and the Muslims are afraid of doing their duty where Hindus are involved. This departure from the Government's position strikes me as most alarming. Why should he take up this position that it was a Muslim magistrate who stopped this telegram? It does seem to me that this is not the way to get the best out of the public services in this country. I do not know if my Honourable friend spoke for himself or for the Government of India. I do hope he did not speak for the Government of India. As it is, in our country, public service has become very difficult already, because they are always suspected of having communal leanings owing to their ante-natal accident. If we are going to complicate this problem still further, it will become next to impossible to expect honest and conscientious public service. I do hope, therefore, that that sort of argument will not be put forward.

Coming to the merits of this case, I would say that the rule is wholly outside the scope of the section of the Act. I want Honourable Members to look at the section carefully. What does it say? "On the occurrence of any public emergency"—it is a special case and some riot or rebellion or something should have happened—"or in the interests of public safety there is some danger to the public," then the Governor General in Council or the Local Government or any other officer appointed in this behalf by the Governor General in Council may, *inter alia*, order that any message or class of messages to or from any persons or class of persons or relating to any particular subject. It does not mean that any message can be

[Mr. S. Satyamurti.]

stopped by the telegraph office. The Governor General in Council or the Local Government may issue an order that any message to or from any person, that is, any person who is suspect, may be stopped, or any message on any particular subject may not be transmitted or intercepted or detained. That is all the power given by this section.

Now, coming to the rule, I want the House to look at this rule and see how sweeping it is, how outside the whole scope of the section it is "Telegraph offices shall refuse",—there is no discretion—"to accept or forward any telegram or part of a telegram of a plainly objectionable or alarming character",—no authority, he acts on his own responsibility, a telegraph master on Rs. 50 a month can refuse to accept a telegram. Suppose any Member of this House wants to send a telegram from any place, it can be refused by a telegraph master. I understand what is meant by alarming, but what is really objectionable? My friend referred to two instances. I will give a third one. Roughly a year ago, I sent a telegram from Delhi to the Allahabad Students' Conference who had invited me to go over there. I simply said: "We are born slaves, we will not die slaves". I asked the students to work for the freedom of this country. It was stopped, because it was of a plainly "objectionable" type, I suppose. To work for the freedom of this country is plainly objectionable to the Government. I put this instance to my friend,—these are the actual words "We are born slaves, we will not die slaves" . . . .

**Mr. F. E. James** (Madras: European): It is untrue, but not objectionable.

**Mr. S. Satyamurti**: I know rulers cannot understand the mentality of slaves. Luckily you belong to the ruling class and you do not know what I suffer from. You be in my position. Let Hitler come to London, and you will see then what it is to be a political slave . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member should confine himself now to the motion before the House.

**Mr. S. Satyamurti**: I am merely pointing out to this House that this power of stopping any telegram without any discretion whatever to the telegraph master is wrong, because any telegraph master can say 'I will refuse to accept or forward any telegram of a plainly objectionable or alarming character'. I think, Sir, this power is not contemplated by the Act at all, and, I hope, some enterprising citizen will go to a court of law and test the validity of this rule. I contend with some confidence that this rule, as it is framed, is beyond the scope of the Telegraph Act and is plainly *ultra vires*.

Then it goes on—'In cases of doubts the matter will be referred by the officer in charge of the telegraph office to the Secretary to Government or other officer nominated by the Local Government from time to time for this purpose', and they will pass the final orders. I plead, Sir, that this power is wholly unnecessary, and certainly beyond the needs of any possible case. I certainly plead that the word 'objectionable' must go, and the power given to telegraph masters must not be there. A telegraph master is not in charge of the peace and tranquillity of the country or of any province. It is not his job to discuss or decide whether telegrams

of a particular nature shall be sent or shall not be sent. It is the job of the Provincial Government. Let them do that, and let them issue orders whether certain telegrams to or from persons on a particular matter shall or shall not be sent and then, it is for the telegraph offices to carry out the orders. I, therefore, ask the House to support this motion, because the rule is *ultra vires*, is capable of being abused, and has been abused.

**Mr. Muhammad Azhar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, the House has learnt the real interpretation of the rules and orders from my friend, Mr. Satyamurti. The crux of the whole motion is that a clerk getting Rs. 20 or Rs. 25 should not be the authority to interpret this law or rule, and, therefore, we claim that this law should be modified at once. It raises not only communal questions, but it affects vitally the interests of business people also. I say our friends of the European Group should have taken up this matter themselves, and I think they should be thankful to us for having brought this matter to the notice of the Government. I hope that our European friends will support this cut motion. We do not know what tricks are being played with business people. If our business friends were to look into this matter, they will find that telegrams sent by one party are sometimes disclosed to the other party. This is a matter which our European business friends should take in hand very seriously. It is the right of every individual to have his telegram or letter sent to the addressee without the Department opening it, it is said that the Telegraph Department looks into the matter very carefully. I don't deny it, but I maintain that the rights of every citizen should be protected. Our point is that an ordinary clerk should not be invested with such high powers as to the interpretation of these rules. It is not merely that communal riots can be suppressed by sending telegrams or things like those. The Collector is there on the spot and he can corroborate or deny the contents of the telegrams, but to stop telegrams at the source is undoubtedly a very serious affair. As my friend, Mr. Nauman, said, the time is not mentioned in the receipt to show when the telegram was accepted in a telegraph office. If it is found that the time is not given on the receipt, then it is certainly a great handicap. Suppose the matter comes before a law court, where is the evidence in my possession to show that the telegram was delivered at the telegraph office at a particular time, if I want to include the telegraph people also as my witnesses. Of course, it was pointed out that the time is marked on the telegram itself, but the telegraph authorities can even suppress the telegrams where the time is mentioned if they do not wish to tender evidence. In that case what will be the evidence in my possession? None whatever. Time is of the essence in the interest of the public. This is really a very serious matter. If the clerks and other subordinate officers of the telegraph department come to know of the interpretation that has been put on this rule today by the Treasury Benches, they will think that they need not respect the rights of the citizens of India, as they ought to be respected, and I may warn this House that, in future, the public will suffer more from such an interpretation because of the dereliction of duty of the telegraph people. I would, therefore, ask the Honourable Member in charge to reconsider this point. I support the motion.

**Some Honourable Members of the Muslim League Party:** The question may now be put.

**The Honourable Sir Nripendra Sircar** (Law Member): Sir, I propose to be very brief, but I desire to point out some confusion in many of the arguments which have been advanced. It was suggested by my friend, Sir Muhammad Yamin Khan, and it was taken up by the last speaker that—"It is not that I am blaming the District Magistrate for exercising his discretion, but you have employed a clerk on Rs. 15 and he decides whether a telegram is or is not really of an alarming nature". Surely, there is nothing in this argument, because, supposing the telegraph clerk makes an error of judgment, he thinks the contents of the telegram are of an alarming nature, though, in fact, they are not so, but what does he do? He sends it up to the District Magistrate, and if the District Magistrate accepts the clerk's view, then, surely, it is the judgment not of the Rs. 15-clerk, but of the District Magistrate. If the District Magistrate does not accept his view, then the telegram has got to be sent up. But the matter is so much mixed up with politics that it has not been possible for this House to take a cool view of the question. I shall omit for one moment anything which touches politics. Let us assume that somebody sends a telegram saying that the Bank of Bombay has gone into liquidation and stopped payment, and that telegram reaches Karachi, Calcutta and Lahore. The mischief can never be undone. You can contradict it, you can issue statements later on, but there will be a run on the Bank, and the Bank may fail. I do not desire to multiply illustrations, but it is obvious that there must be a rule of this kind. The rule is one of the most salutary rules, and if it is abrogated, then, surely, we shall be in a most undesirable position. Any amount of irreparable mischief can be done by sending telegrams if there is no power to interfere and stop such mischief being done. Therefore, I venture to submit humbly to this House that the existence of such a rule is absolutely necessary, though its abuse is quite a different thing. Then, as regards my Honourable friend, Mr. Satyamurti's great indignation and attack on my colleague, Sir Thomas Stewart, because he said that something was done by a Muslim Superintendent, I believe it was really uncalled for. I can well believe that the statement was made to disperse any suspicions which have been lurking in the mind of somebody, of any of the Members—I do not expect that in the broad mind of Mr. Satyamurti—that this was done because it was a Hindu who was dealing with the matter and it was a Muhammadan affair which was going to be transmitted.

**Sir Muhammad Yamin Khan:** No.

**The Honourable Sir Nripendra Sircar:** I do not want any "No" or "Yes" from Sir Muhammad Yamin Khan. I would remind him that questions have been put here only last week, repeatedly, with an amount of acerbity which is regrettable, by Dr. Ziauddin Ahmad . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair thinks the Honourable Member ought not to refer to past proceedings.

**Sir Muhammad Yamin Khan:** During the last five years, I have put only one question.

**The Honourable Sir Nripendra Sircar:** Am I not entitled to point out that questions have been put by whomsoever it may be, suggesting that Muslims are not promoted, because their cases are dealt with by Hindus?

**Mr. President** (The Honourable Sir Abdur Rahim): That ought to have been pointed out at the time that the question was objectionable.

**The Honourable Sir Nripendra Sircar**: The question was not objectionable at all, but I am pointing out in order to remove any lurking suspicion in the mind of anybody . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot make any such reference to previous proceedings.

**The Honourable Sir Nripendra Sircar**: I bow to your ruling.

**An Honourable Member**: He ought to have spoken yesterday.

**The Honourable Sir Nripendra Sircar**: There was no occasion for that lecture on Hindu-Muslim unity, because my Honourable friend had mentioned the word "Muslim". My Honourable friend, Mr. Satyamurti, read some section and said that the rule is *ultra vires*. If the rule had been framed under that section the argument would have been absolutely correct. That section does not justify the framing of such a rule. I shall not dispute that for one moment, but the trouble is that the rule has not been framed under that section.

**Dr. Sir Ziauddin Ahmad**: The Honourable Sir Thomas Stewart said that.

**Mr. S. Satyamurti**: That is what the Honourable Member in charge said.

**The Honourable Sir Nripendra Sircar**: If my Colleague has made a mistake, I correct it. That rule cannot be justified by that section. My Honourable friend, Mr. Satyamurti, is quite correct in saying that if it purports to have been done under that section, then it is wholly *ultra vires*. I am not suggesting that he has made any mistake. What I am trying to point out, as a matter of fact, is that the rule has been made under the rule making power, and the relevant words are, "conditions and restrictions subject to which messages shall be transmitted". It has not been done under that section, and if my Honourable colleague has made a mistake, I want to correct that on behalf of the Government of India. I fully accept Mr. Satyamurti's statement that the section does not justify the making of that rule. I do not think I shall carry this on beyond the midday adjournment. I would conclude by saying that, if the complaint is about the rule, that is not the cut motion. The cut motion does not complain of the rule being *ultra vires* and so on but of its abuse. My Honourable friend has tried to show—I have nothing to add to it—that the authority is delegated to the District Magistrate, the District Magistrate exercises his jurisdiction and uses his discretion, and the Posts and Telegraphs Department does not come into the picture at all.

**Some Honourable Members**: Let the question be now put.

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

"That the question be now put."

The motion was adopted.

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

"That the demand under the head 'Indian Posts and Telegraphs Department (including Working Expenses)' be reduced by Rs. 100."

The Assembly divided :

AYES—53.

Abdullah, Mr. H. M.  
 Abdur Rasheed Chaudhury, Mauvi.  
 Aney, Mr. M. S.  
 Asaf Ali, Mr. M.  
 Ayyangar, Mr. M. Ananthasayanam.  
 Aznar Ali, Mr. Muhammad.  
 Banerjee, Dr. P. N.  
 Basu, Mr. R. N.  
 Bhutto, Mr. Nabi Baksh Illahi Baksh.  
 Chaliha, Mr. Kuladhar.  
 Chaudhury, Mr. Brojendra Narayan.  
 Chettiar, Mr. T. S. Avinashilingam.  
 Chetty, Mr. Sami Vencatachelam.  
 Das, Mr. B.  
 Desai, Mr. Bhulabhai J.  
 Deshmukh, Dr. G. V.  
 Essak Sait, Mr. H. A. Sathar H.  
 Fazl-i-Haq Piracha, Khan Bahadur Shaikh.  
 Gadgil, Mr. N. V.  
 Ghasuddin, Mr. M.  
 Ghulam Bhik Nairang, Syed.  
 Gupta, Mr. K. S.  
 Hegde, Sri K. B. Jinaraja.  
 Ismail, Khan, Haji Chaudhury. Muhammad.  
 Jogendra Singh, Sirdar.  
 Joshi, Mr. N. M.

Kailash Behari Lal, Babu.  
 Lalchand Navalrai, Mr.  
 Maitra, Pandit Lakshmi Kanta.  
 Mangal Singh, Sardar.  
 Mehr Shah, Nawab Sahibzada Sir Sayad Muhammad.  
 Mudaliar, Mr. C. N. Muthuranga.  
 Muhammad Ahmad Kazmi, Qazi.  
 Murtaza Sahib Bahadur, Maulvi Syed.  
 Nauman, Mr. Muhammad.  
 Paliwal, Pandit Sri Krishna Dutta.  
 Pande, Mr. Badri Dutt.  
 Ranga, Prof. N. G.  
 Rao, Mr. M. Thirumala.  
 Raza Ali, Sir Syed.  
 Sant Singh, Sardar.  
 Santhanam, Mr. K.  
 Satyamurti, Mr. S.  
 Sham Lal, Mr.  
 Siddique Ali Khan, Khan Bahadur Nawab.  
 Singh, Mr. Gauri Shankar.  
 Singh, Mr. Ram Narayan.  
 Sinha, Mr. Satya Narayan.  
 Subbarayan, Shrimati K. Radha Bai.  
 Umar Aly Shah, Mr.  
 Varma, Mr. B. B.  
 Yamin Khan, Sir Muhammad.  
 Ziauddin Ahmad, Dr. Sir.

NOES—41.

Abdul Hamid, Khan Bahadur Sir.  
 Aikman, Mr. A.  
 Ayyar, Mr. N. M.  
 Bajpai, Sir Girja Shankar.  
 Bewoor, Mr. G. V.  
 Bhagchand Soni, Rai Bahadur Seth.  
 Bhandarkar, Mr. K. Y.  
 Boyle, Mr. J. D.  
 Buss, Mr. L. C.  
 Chanda, Mr. A. K.  
 Dalal, Dr. R. D.  
 Dalpat Singh, Sardar Bahadur Captain.  
 Frampton, Mr. H. J.  
 Gidney, Lieut.-Colonel Sir Henry.  
 Gorwala, Mr. A. D.  
 Greer, Mr. B. R. T.  
 Grigg, The Honourable Sir James.  
 Hardman, Mr. J. S.  
 Jawahar Singh, Sardar Bahadur Sardar Sir.  
 Jehangir, Sir Cowasji.  
 Kamaluddin Ahmed, Shams-ul-Ulema.  
 Kushalpal Singh, Raja Bahadur.

Lillie, Mr. C. J. W.  
 Mackeown, Mr. J. A.  
 Maxwell, The Honourable Sir Reginald.  
 Menon, Mr. P. A.  
 Menon, Mr. P. M.  
 Metcalfe, Sir Aubrey.  
 Miller, Mr. C. C.  
 Mukerji, Mr. Basanta Kumar.  
 Nur Muhammad, Khan Bahadur Shaikh.  
 Ogilvie, Mr. C. M. G.  
 Row, Mr. K. Sanjiva.  
 Sher Muhammad Khan Captain Sardar Sir.  
 Sircar, The Honourable Sir Nripendra.  
 Sivaraj, Rao Sahib N.  
 Slade, Mr. M.  
 Spence, Mr. G. H.  
 Stewart, The Honourable Sir Thomas.  
 Sukthankar, Mr. Y. N.  
 Sundaram, Mr. V. S.

The motion was adopted.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. S. Satyamurti (one of the Panel of Chairmen) in the Chair.

**Mr. Muhammad Nauman:** Sir, I should like to move my motion No. 12 on Supplementary List No. 8. . . .

**An Honourable Member:** Sir, the grant itself has not yet been moved?

**Mr. Chairman** (Mr. S. Satyamurti): Sir James Grigg. (The Honourable Member was not in his place.) The Chair regrets the Honourable Member is not in his place.

**Mr. Muhammad Nauman:** I do not know what is going to happen? What is my position?

**Mr. Chairman** (Mr. S. Satyamurti): The Chair cannot allow the cut motion to be moved until the concerned demand itself is moved. But since this is a Party arrangement, the Chair would express its regret that the absence of the Honourable Member deprives the House of the time to which it is entitled.

[At this stage, the Honourable Sir James Grigg came to his seat.]

Before the Honourable Member is called upon to move his demand under the Commerce Department, the Chair would like to tell him in his presence, what the Chair said in his absence, that it is not fair to the House that he should be absent at 2-45 thus depriving the House of two minutes, to which it is entitled by Party arrangement.

**The Honourable Sir James Grigg** (Finance Member): In reply to your strictures, may I suggest that I was not told that this particular cut was going to be moved, and that is why I was not here . . . .

**Mr. Chairman** (Mr. S. Satyamurti): Order, order. The convention, when budget motions are taken up by arrangement amongst Parties, is that at any moment any cut motion may be moved, and the Honourable the Finance Member must be in his place all the time when cut motions are being moved, so that in order that when the particular cut motion which the Party wants to move may be moved, the demand itself that is concerned may be moved at once.

**The Honourable Sir James Grigg:** I would respectfully point out, Sir, that my reading of the convention is different to yours . . . .

**Mr. Chairman** (Mr. S. Satyamurti): Order, order. The reading of the convention by the present occupant of the Chair is that the Honourable Member must be in his place all the time the cut motions are moved. Will he kindly move his demand?

[At this stage, the Honourable Sir James Grigg, was heard to utter the word "outrageous".]

**Mr. Chairman** (Mr. S. Satyamurti): Did the Chair hear the Honourable Member utter the word "outrageous"? The Honourable Member will kindly withdraw that word.



**The Honourable Sir James Grigg:** I withdraw the word "outrageous", but I will say "unusual".

**Mr. K. Santhanam:** On a point of order, Sir, there can be no remarks upon a ruling of the Chair? Is he entitled to make any such remark upon a ruling of the Chairman?

**Mr. Chairman** (Mr. S. Satyamurti): The Chair is sorry, the Finance Member thinks that the present occupant of the Chair is still on the floor of the House. Unfortunately for him he happens to be in the Chair and he must obey the Chair whoever the occupant and, therefore, the Chair would ask him to withdraw the word "unusual". No remark should be made upon the Chair, however much he may disagree with it.

**The Honourable Sir James Grigg:** I will certainly withdraw anything which can be regarded as a reflection on the Chair.

**Mr. Chairman** (Mr. S. Satyamurti): It is the undoubted convention of all Parliaments that no Member of the House can characterise anything said by the Chair, thereby casting a reflection on the Chair. The Chair would say that the word "unusual" in reference to its statement that he ought to be here is not fair to this House or fair to the Chair. The Honourable Member will, therefore, now move his demand, under the Commerce Department.

#### DEMAND NO. 19—COMMERCE DEPARTMENT.

**The Honourable Sir James Grigg:** Sir, I move:

"That a sum not exceeding Rs. 4,40,000 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 'Commerce Department'."

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

"That a sum not exceeding Rs. 4,40,000 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 'Commerce Department'."

*Conditions to be imposed on Subsidised or Protected Industries in India.*

**Mr. Muhammad Nauman:** Sir, I move:

"That the demand under the head 'Commerce Department' be reduced by Rs. 100"  
—(To discuss conditions to be imposed on subsidised or protected industries in India).

Sir, I want to point out to the Government that all industries which are subsidised or protected should maintain the communal proportions in their services as well as in the distribution of the agencies and in the distribution of the areas for recruiting labour skilled or unskilled. It must be pointed out to the industrialists that any protection given to them is always at the cost of the consumers and the profits should be distributed in proportion to the percentage of the population in the shape of wages for the labour that they may be in a position to render to the industries. I think Honourable Members of this House are aware of the legislation in Germany, the United States of America and other parts of the world where no foreigner is allowed to develop any industry unless he has either acquired the right of domicile by naturalization or takes in the partnership the men

of the soil and provides services to the children of that country. We all know that the international trade channels are choked by the tariff barriers, quotas, peculiar exchange restrictions, financial adjustments, on barter system and world-war apprehensions sometimes and, as such, the industries are being developed in every part of the world and certainly they should be encouraged in this country as well. Political nationalism has made people believe in economic nationalism and this economic nationalism is sometimes sapping the roots of world prosperity, and this invokes the question of communal proportions, as the industry is certainly developed at the cost of the whole country, at the cost of the whole population and the spoils of the profits have to be divided to all and not maintained and monopolised either by a certain section of individuals or by a certain community. In this way, for our economic salvation we have got to point out these things to the Government and we do it for this purpose that when we subscribe our money to protect and to the safeguard of an industry we do it with the double purpose of making the country self-contained and giving a chance to our people to earn their livelihood in the country in the industry with which a particular firm may be entrusted, but the entire country must share the gains in different forms. As I pointed out yesterday, some of the industries are of special importance, say, the Tata Iron and Steel Works which are a big industry employing eight to ten thousand people. Now, they have not got any percentage fixed or arranged for the communal representation of the labour and services for distribution of the money that they give out as wages for the working of the industry. I also pointed out the facts about Dalmia's Cement industry and I was just speaking on the question of the Ahmedabad cotton mills and the few other silk mills which in the employment of their skilled and unskilled labour, do not take any care of the communal proportions of the communities whom they employ. The same question of "efficiency" does arise and I have no desire on my part to enumerate remedies or to advise industrialists that they should, in any way, sacrifice the efficiency of the work. At the same time, it may be pointed out to the Government that when an industry is subsidized and is protected, it is the right of the entire population of the country to take profit or a part of the profit out of it as the consumers are the real contributors to the losses in the event of such a protection being given. Take, for instance, the protection that we have given to sugar. Had it not been for that protection, sugar in the Indian market would have been sold for about less than half the value at which it is being sold today by the Indian millowners.

**Babu Baijnath Bajoria** (Marwari Association: Indian Commerce): I rise on a point of order, Sir. I want to have a ruling from the Chair whether this cut motion is in order. My Honourable friend, Mr. Muhammad Nauman, has moved that the private industries, owned by private persons or companies, should restrict their employment in a particular way and communal representation is to be given to the employees of those companies. Those companies are not under the management of the Government of India, and this cut motion is to censure the Government of India for acts which are not under their direct management. I submit that this motion is out of order. I would like to have your ruling.

**Mr. Chairman** (Mr. S. Satyamurti): The ruling of the Chair is that this motion is perfectly in order. As for the arguments of the Honourable Member (Mr. Nauman), the Honourable Member (Mr. Bajoria) may not accept them, but that does not make the motion out of order.

**Mr. Muhammad Nauman:** Thank you, Sir. I may point out to my Honourable friend, Mr. Bajoria, that I am just trying to explain to the House that we have a right to ask the Government to interfere in the interests of the whole country, because the advantage offered to them is at the cost of the consumers which include all sections of the inhabitants of this country.

Sir, I was just on the point of explaining this that had we not given any safeguards and protection to the sugar industry, the sugar industry in this country would not have at all developed to such an extent and it would have been quite possible for the Java sugar and the sugar of Canada and Australia to compete against our sugar production and in that case it would probably have been sold in this country at less than half the value and, in that way, the consumers would probably have been able to get the sugar at a cost of about 2½ to three annas a seer which they are now compelled to buy at a cost of six annas a seer. I think my Honourable friend, Mr. Bajoria, does realise that indirectly the State has got the control. When the people exist for the sake of the State and the State exists for the sake of the people, then, whatever complaints we have to make indirectly, we have to ask the Government to interfere in the matter. If we want to develop the industry, we have to approach the Government for giving it a protection, and, naturally, when those industries are employing their men in a particular way, we have to approach the Government and nobody else.

Now, Sir, I further want to point out that there are several European mills like the Lalimli Woollen Mill and, up till now, probably the Commerce Department has not taken any initiative in giving them even a piece of advice which would, at least, carry a suggestive value of the fact that in this age of economic difficulties, they should take care that all the communities do get their proper share in their services. However, I can say this from my own experience of the different commercial activities of this country and from my own association with some of the industries that Muslims are getting only a fractional share.

**Mr. Chairman** (Mr. S. Satyamurti): Order, order. The Honourable Member may kindly resume his seat. The time allotted to the Muslim League is over now. The next cut motion will be moved on behalf of the Congress Nationalist Party. ....

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#### DEMAND NO. 12—EXECUTIVE COUNCIL—*contd.*

*Constitution and Terms of Reference of the Sandhurst Committee appointed against the Resolution of the Legislative Assembly.*

**Sardar Sant Singh** (West Punjab: Sikh): Sir, I beg to move:

"That the demand under the head 'Executive Council' be reduced by Rs. 100"—  
(To consider the constitution and terms of reference of the Sandhurst Committee appointed against the Resolution of the Legislative Assembly.)

The motion is not of a nature of a convention but is intended as a **3 P.M.** censure on the Government of India in the Defence Department. It is known to the Honourable Members of this House that on the 2nd of September, 1938, at the Simla Session, a Resolution was moved by our

late friend of honoured memory, Maulana Shaukat Ali, in this House which was finally adopted unanimously by this House. The terms of that Resolution were these:

"That this Assembly recommends to the Governor General in Council that early steps be taken to constitute a Committee of the elected and other members of the Central Legislature to devise a scheme for implementing the following unanimous recommendation of the Indian Sandhurst Committee (of 1926), namely, 'It is, however, unanimously agreed that, whether the slower or the more rapid rate of progression is ultimately adopted, the scheme actually in operation should be reviewed in 1938, that is to say, five years after the inauguration of the Indian Sandhurst, with a view to considering whether the success achieved is not sufficiently solid to warrant a further acceleration of the rate of progress'."

This was the amended Resolution and the amendment which was adopted in the original Resolution was as regards the majority of the Members being from the elected Members of this House. Now, in this connection, the Government was asked to take immediate steps for the appointment of this Committee. The Government accepted this Resolution, though the Honourable the Defence Secretary in his speech stated that he accepted it in principle. Immediate steps were taken in so far as the appointment of the Committee was concerned. But the whole object of the Resolution was taken away by the terms of reference of that Committee as well as the personnel appointed. The communiqué which was issued by the Government read like this:

"To examine the progress of Indianisation of the officer ranks of the Indian army with a view to determining whether the results achieved justify acceleration and, if it appears from this examination that they do not, to consider such alterations in the system of recruitment to the Indian Military Academy as may be expected to lead to an improvement in the number of suitable candidates and to make recommendations."

The personnel announced, included two elected Members in a committee of 13 and these two elected Members were from the Upper Chamber and there is not a single elected Member from this House. The element of nominated Members, among the personnel of the Committee, is seven besides officials. So we see that the main principle underlying the Resolution has not been accepted by the Government in action. It may be said that the Leaders of Parties in this House were approached for nominating Members from among their ranks but that they declined to do so. They refused because of the fact that the terms of reference to this committee were not satisfactory . . . .

**Mr. M. Asaf Ali:** Sir, the Leaders of Parties refused to nominate Members because the Government were not prepared to implement the terms of the Resolution passed in the House.

**Sardar Sant Singh:** I need not go into that quarrel. My position is this. That the Government have not taken note of the changed conditions in the country, not only in India alone but in the world at large, to look at the matter from that point of view which was necessary for the safety of India. The position taken up by the House was very clearly stated in the speeches of the various Honourable Members in this House. I want the Defence Secretary to take note of that position and I want to state it as clearly as I am capable of. Our definite demand is that we do not like more officering of the Indian Army by British people. We want the Indian Army to be officered by Indians alone and for that purpose steps should be taken so that in the shortest possible period of time, we may be able to dispense with British officers, from the Indian Army, entirely. That is the position

[Sardar Sant Singh.]

for which this Committee was demanded by the House. There was unanimity from all Parties of the House in making this demand and it is very unfortunate that even in these critical days when the peace of the world is hanging in the balance, the Defence Department in India should be blind to the legitimate aspirations of India in this respect. Instead of taking the Leaders of Parties into confidence in the matter of defence, they are trying to over-ride the wishes of this House in a manner which is derogatory to the prestige of the House and very humiliating to the Indian nation as a whole. While speaking on this motion, the Defence Secretary said :

"Finally, I have to forecast the view. . . . ."

**The Honourable Sir Nripendra Sircar:** I rise to a point of order, Sir. I would not have ordinarily objected to my Honourable friend referring to past proceedings, but the Chair this morning ruled, just before the mid-day adjournment, that no Member could refer to any past proceedings of this House.

**Mr. Chairman** (Mr. S. Satyamurti): The Chair thinks it is a very delicate point which the Honourable the Law Member has raised. The Honourable Member, Sardar Sant Singh, is perfectly in order in referring to the previous speech of the Defence Secretary which is relevant to the subject of the cut motion that he is moving.

**The Honourable Sir Nripendra Sircar:** I am very glad, Sir.

**Sardar Sant Singh:** The Honourable the Defence Secretary, while speaking on the debate on the 2nd September, 1938, said :

"Finally, I have to forecast the view of the Government as to this Resolution. I can say that Government accept it in principle. I can also say that Government would find no difficulty at all in accepting the Resolution as amended by Mr. Aikman. I do not find any particular fault as to the amendment moved by the Congress, except that it does perhaps interfere with full freedom of choice in the matter. I agree with those Honourable Members who stated that from every point of view full freedom of choice was most desirable. On the other hand, I say quite frankly that the presence on such a Committee of elected Members of the Legislature would be not only welcomed but regarded as absolutely essential."

Sir, these are the important parts of the speech. My submission is that no doubt the freedom of choice is necessary and we see the necessity of it, but the freedom of choice is to be made to satisfy whom? Is it to satisfy the British Government? Is it to satisfy the British people? Or is it to satisfy us, Indians who are vitally concerned in the subject? From what point of view this freedom of choice is to be met? If it is to satisfy us who are vitally concerned in the matter of defence, certainly the opinion of this House and the opinion of the elected Members of this House, who represent their constituency, should have received far greater weight than the opinion of the British Government who guides them from a distance of 6,000 miles. We want a committee with a definite reference how to end the British officers in the Indian Army, how to Indianise the army completely within the shortest possible time. We do not want the pace to be regulated. Is it to be regulated just as Czecho-Slovakia was regulated when Hitler moved his army when the whole of the British Army was sleeping not knowing what to do, when the democracies were thrown away in the face of pressure brought forward by the Dictator. Is the pace to be regulated in the same way in India? Those who have read this morning's news

must be alarmed at the disturbance in Central Europe. They will feel keenly for the helpless situation of India in matters of defence. What were the principles which guided the selection of the personnel of the Committee? The Government have put in Members whose one aim in life is to say ditto to whatever they are asked to do. Is this the sort of Committee on whom the tax-payer's money is to be spent so that when they bring forward a report it will be rejected by the Assembly summarily as many a report has been rejected, because the wishes of the House were not met with? Are you going to enact this farce again? Do you want to show to the world at large that here is a committee and we have the majority report. Even granting that the two elected Members write a Note of Dissent, the Government will take their stand on the majority report, thereby showing to the world that they accepted the report of the Committee. This will mean that the Committee is nothing but a farce, a show, a demonstration only to comply with the letter of the plighted word but to break it in spirit. I think the Government of India should by this time have known that the feeling in the country in this respect is very great. India is not going to be tinkered with so lightly as they have been doing in the past. The time has come when the wishes of this House should receive more serious consideration from the Defence Department. It was pointed out by my Leader, Mr. Aney, in his speech made during that debate as to what personnel of the committee is demanded. He said :

"But when there is a different outlook, when we want the entire defence of the country to be in our hands, we do not want to leave the matter to remain pending like that for geological ages with the blessings and pious wishes expressed without being translated into action. We do not want to leave that question now in that direction. The Defence Department of the Government of India must see that the personnel of a committee selected in the manner in which it used to be selected before cannot serve the needs of the present day."

In that debate was very clearly pointed out the danger of selecting personnel in that manner. But the Defence Department seem to have taken no note of the matter. The Leader of the Opposition, while concluding his speech, made this point very clear in these words :

"Our demand therefore is that an Indian army shall be entirely officered in 15 years' time by Indians alone; secondly, there will be left no question of disparity at all. Our patriotic Indians will serve and live a standard of life entirely suited to our conditions. Thirdly, the decision shall be reached by a majority of the elected Members of this House."

Sir, this was the plain language used by the two eminent Leaders of this House during the debate on the Resolution. When Government accepted the Resolution, even though it may be in principle, they cannot take their stand on the plea that the thing was not made clear to them. The result has been that the clearest wishes of the House, as expressed by all Parties concerned, have been ignored by Government. As soon as the personnel of the committee was announced a number of adjournment motions were tabled to censure Government on the appointment of this new committee but they were disallowed. Those having been disallowed nothing was left for this House but to wait till the budget discussion to move a censure motion.

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

**Sardar Sant Singh:** I will try to finish within that time.

[Sardar Sant Singh.]

Now by this cut motion, as I explained before, we mean to censure Government and, I think, there will be nothing better for Government than to accept this censure as a censure and to torpedo the whole committee immediately. After all, if they actually want the co-operation of this House, as they always profess, they should do something to satisfy us and appoint a committee which would consider the real problem with a real outlook and not through the outlook of a foreigner. We want the Defence Department to be strengthened and strengthened not for the purpose of imperialistic aims but for the purpose of defending India against any foreign aggression. For that purpose they must realise that they cannot, by force, instil love amongst Indians for a foreigner. That can only be done by mutual trust and confidence. If they do not adopt a policy of mutual trust and confidence they will have to thank themselves when nemesis comes. I think the present condition of the world should be a sufficient eye-opener to the Defence Department to throw off their old ways and adopt new methods. The circumstances and conditions of the world are rapidly changing. And if the Government of India can come forward with advice to the princes to change with the changing times I see no reason why the Defence Department which is a part of the same Government of India should not change their outlook with the changing conditions and circumstances of the times. Sir, I move.

**Mr. Chairman** (Mr. S. Satyamurti): Cut motion moved:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

**Lieut.-Colonel Sir Henry Gidney** (Nominated Non-Official): Sir, I take part in this debate mainly because I desire to express my views on the cut motion and also because I was a member of the committee that started the present Indian Sandhurst. At that time I was very emphatic in my declaration of the paucity of officers that were being supplied for the India Army from India. I considered that the small number of 30 per cent. was totally inadequate and I protested on this and other parts of the recommendations and proceedings of this committee, particularly in regard to a Royal Indian Air Force. And so, I admit my sympathy, indeed, a very deep sympathy for India's desire to increase the number of Indian Officers to be annually recruited into the Indian Sandhurst. Having said this, I hope the Honourable the Mover of this motion will not be disposed to disagree or be very displeased with anything that follows. He has himself admitted when he moved his motion that Government accepted the Resolution in principle. Now I should like to know from the Defence Secretary, when he said he accepted this Resolution in principle implemented as it has been by the lengthy quotation of the speech that was made by my Honourable friend, Sardar Sant Singh, in which the Defence Secretary said that he would welcome elected Members of this House, etc., whether in saying this he really meant he accepted this motion as only in principle on behalf of Government, or as Sardar Sant Singh has indicated in his speech, *viz.*, that he accepted it in its entirety: on his reply depends my attitude towards the cut motion.

**Mr. M. Asaf Ali**: And Government never challenged a division.

**Lieut.-Colonel Sir Henry Gidney**: I feel, Sir, that when Government accepted the Resolution in principle it did not agree to this House electing all the members of this committee, but would add that if it did, and now refuses

to carry it out, it has insulted this Honourable House, and I stand here to support the Opposition in this matter, and in its effort to uphold the honour and rights of this House. But even so we are handicapped because we cannot remove an irremovable Government. I therefore feel I must repeat my question: When the Defence Secretary made this promise did he accept the principle only or did he accept the Resolution in its entirety? If he did then Government stands charged with ignoring the wishes of this House; if he did not, then the Defence Secretary must explain this to the House. I was not in this House then as I was ill but on reading the debates on this matter I understand that the Leader of the Congress Party in his speech made certain remarks that are not entirely in support of the motion which is before the House today. I have not got his speech with me to read out, but I should like to be corrected if I am wrong. Certain charges have been made against Government. They have been charged with packing the present Sandhurst Committee. The Honourable the Mover of this motion has charged Government with having packed this committee. But even if it is a packed committee, one can charge both sides—Government and the Opposition with this desire to pack. Between these I want to know which is the neutral power. In my opinion it is the Government. And so, Government decided to form this committee with members who are not violently against Government but even in this effort both the Congress and the Muslim League have objected and refused to associate themselves with Government. This is how matters stand at present—very unsatisfactory and very unpractical and not at all helpful.

Sir, I have nothing to say in support of the method that Government has taken to fill this committee. Government had its own reasons which I have no doubt they will explain, but I do feel that in matters relating to defence, the House is hardly the proper place to select experienced members. It could easily pack the committee and state that because they are members of the Legislative Assembly they know all about Sandhurst and the right thing to do and the right number of officers to recruit. I quite agree that there should be adequate representation of the House: At the first Sandhurst Meeting we had adequate representation and our voice was heard and we carried many points: but as regards the committee that has been recently appointed it all depends on whether Government agreed with the Legislative Assembly's Resolution in entirety or whether it agreed only in principle, supplemented with the remarks of my Honourable friend when he quoted the Defence Secretary's speech. On this depends what I shall do, and I am sure many Members will be guided likewise in the matter. But do not let us in our anger and in our displeasure—and I am one who shares in that displeasure to a large extent—blame Government for a measure which it has felt necessary to safeguard defence interests, which neither you nor I are as well informed or *au fait*. The Defence Department is the one department with which this House cannot play. You cannot make an army on paper. You cannot make a new Sandhurst on paper or with paper knowledge only. As my friend Sardar Sant Singh has said, the Government has to take into consideration the present unsettled international times and so Government is the better judge to know what classes it wants to recruit and the number of officers that it requires as the years roll on. If Government is honest in its promises ultimately completely to Indianise the Officers of the Indian Army—and I hope it is—they should certainly accelerate and increase the number of Indian Officers. If Government has not done so within the past five years of review, I should like its explanation but the



[Lieut.-Colonel Sir Henry Gidney.]

matter is so eminently practical that no committee is needed. Government should be aware of the fact that India is keen in its desire to officer its own army. There is no use saying that we want to exclude the British officer from the Indian Army. It is all "tosh" to demand this and you cannot in the present state of communal affairs have it. The recent Cawnpore riots stand in support of it. How can you possibly stand up here and agree with what Sardar Sant Singh wants? *i.e.*, get rid of all British Officers. This is impossible. I do not talk as an airy fairy nationalist but as a man who knows that you cannot do this. (*An Honourable Member*: "Why not?"). I say you cannot do it and you know it. . . .

**Mr. Chairman** (Mr. S. Satyamurti): Will the Honourable Member kindly address the Chair?

**Lieut.-Colonel Sir Henry Gidney**: I am sorry, Sir, but my friend who is interrupting me thinks he is occupying the Chair. I apologise to you, Sir. I repeat, the time has not come when we can indulge in such dangerous demands. Government are responsible for the safety of the country. I think myself that Government have been too slow in the speed with which they are Indianising officers in the army. I think there should be at least double the number of Indian officers than at present recruited. Otherwise the criticism that comes from my friend Mr. Asaf Ali and others that it will take a hundred years to Indianise the Indian Army is quite correct. Sir, I was a member of the Defence Sub-Committee of the first Round Table Conference when we discussed this very point and when Lord Rawlinson's note was placed before us. I know at that time there were vague promises of a time-limit. That, of course, for reasons well known to the House has been thrown to the winds; but things have altered since then, the world has altered; and until we come on to a common platform of unity and think as a nation and not as the two major communities—Hindus and Muslims are today widely separated and divergent in their views, this is not the time nor is this the occasion to whittle down the number of British Officers in the Army. They must remain. I cannot conceive of a member of the martial races—I do not know whether the Mover, Sardar Sant Singh, a Sikh, calls himself a "nationalist"—I would prefer to call him an Irrationalist, for only he would make such a demand, *i.e.*, to do without British Officers in the Army. The greatest attachment and love exists at present between the British Officer and the men under him and surely you do not want to spoil those splendid relations that *bon-comraderie* by any inflammatory speeches. Don't you realise that you are ruining this co-operation by such statements? I really do not think that this resolution should be moved as a censure on Government. If Government made a promise that it will accept the Resolution in its entirety, then censure Government and I will vote with you. But if Government can prove that it did not do so, then tell Government what you think of it and censure them.

**Mr. M. S. Aney**: What do you think of it?

**Lieut.-Colonel Sir Henry Gidney**: If Government accepted the Resolution in its entirety I do not think it is right. Indeed, it is wrong to violate the dignity and the honour of this House by refusing to carry out its pledges, but they did not accept the Resolution in its entirety. (*Interruption.*) With these remarks I cannot support the Resolution until after I have heard what the Defence Secretary has to say on the matter.

**Mr. M. Ghiasuddin** (Punjab: Landholders): Mr. Chairman, while supporting this cut motion of my Honourable friend, Sardar Sant Singh, without any reservation, I wish to dissociate myself from a few remarks that fell from his lips about the Nominated Members. He did say something to the effect that Nominated Members were Yes-men of the Government or words to that effect. As far as the personnel of the Commission is concerned, I find that the Honourable Members who have been nominated to it are men of honour and men of experience who have a long record of honourable service behind them. I am sure they will prove an asset to the committee. The root cause of the whole trouble is the irresponsiveness of the Government to the wishes of this Honourable House. Either the Government are actuated by some sort of suspicion which they are not able to get rid of, or there is something behind it which we cannot probe; but there is no getting away from the fact that the wishes of this Honourable House are flouted time and again and all our voice is just like crying in the wilderness. I wish to draw your attention, Sir, and the attention of the House to the Resolution which was passed and which was accepted in principle, at any rate.

At the outset I want to place before the Defence Secretary that there is a suspicion in the minds of this side of the House that the Government do not want Indianisation. There are very good reasons for this suspicion. If it comes to plain speaking, the whole thing is that the officership of the army in India has been reserved for a long long time to a certain class of British people and with Indianisation no doubt those people will have to find another job and their kinsmen at the Army Headquarters, human as they are, want to defer that evil day for as long as possible. Now, we have to prove whether we have any grounds for this suspicion or not. The grounds for this suspicion are that the distinguished predecessor of the Honourable the Defence Secretary, time and again, referred that this Indianisation was only an experimental measure and that the Government were watching whether this experiment proves a success or not. This insinuation was very much resented on this side of the House. Our point of view is that we do not acknowledge them as our judges. We challenge their right to sit in judgment on us and to say whether we have proved a success or not. The other point which I once raised in debate is that it is accepted that all countries bordering India—Nepal, Afghanistan, etc.—have their own officers and their own army and so, when God Almighty created this world, he did not take the map of India and say: "Take out the army brains from these people". I cannot conceive of any such thing. Therefore, that is a good reason for our suspicion. You will probably remember, Sir, that about two years ago I had occasion to quote the despatches of two very distinguished Commanders-in-Chief, Lord Roberts and Lord Kitchener, on the floor of this House. Well, Sir, the opinions of both these noble Lords were to this effect. Lord Roberts in his despatch said that we should not Indianise the army, we should not give equality to an Indian, with the white man, in military matters, we should put down with a strong hand even the smallest beginnings of it. This was the policy of the army headquarters then. After him came Lord Kitchener but his point of view was quite different. His point of view was that we should Indianise the army, but he deplored the fact that the other officers at the Army Headquarters did not co-operate with him in this matter. Here we have got the opinions of two distinguished military men who hold quite different views,—one is in favour of Indianisation, while the other is against Indianisation, but

[Mr. M. Ghiasuddin.]

both come to the same conclusion that the Army Headquarters were not helpful so far as Indianisation was concerned. Therefore, Sir, there is quite justifiable ground for our suspicion that some germ of the old days still remains in the Army Headquarters.

**An Honourable Member:** The whole of it.

**Mr. M. Ghiasuddin:** So, Sir, this suspicion of ours cannot be said to be entirely unfounded.

Then, Sir, with the advent of Indianisation in the officer ranks of the army we had the very unfortunate spectacle of seeing so many young Indian officers leaving the army. I have not got the exact figures with me now, but, at any rate, nearly 70 or 80 young officers left the army. It was then given out that they had resigned, but I have reasons to believe that those resignations were not entirely voluntary. Some sort of screw was put on them and they were told, either they should get out with honour or they would be kicked out. That was the step taken then, and the result was that a good many of them, who did not want to fight their case or did not like an open inquiry to be held into the matter, left the army of their own accord.

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

But there is no getting away from the fact that the suspicion which was then in the minds of the public was very much strengthened by those early departures, I should say. These were the circumstances, Sir, under which this Resolution was moved and unanimously passed, the Government not even challenging it. Now, under these circumstances, what should have been the policy of the Government,—I put this question to the Honourable the Defence Secretary? The policy of the Government, at this juncture, should have been to remove that suspicion at all costs, because there was that suspicion, and there were genuine grounds for it, and, therefore, the Government should have tried at all costs to remove that suspicion from the mind of the public, but I am sorry to say that Government did not try to remove it, and although they have nominated a few Members from the other House, yet as they did not consult the Leaders of Parties before making the nominations, naturally, the suspicion remained and it was further strengthened, and, therefore, this side of the House and Government could not come to any agreement. Sir, even at this late juncture I would ask that everything should be done to remove the suspicion, and, for the guidance of the Committee I might say one thing, and that is, this House will not tolerate the report current in certain quarters that Indians are not fit to become officers. In the beginning of my speech, I said that, at any rate speaking for myself, I have full confidence in the judgment of the nominated Members, and it is for them to justify it and to show that they are as patriotic as any Honourable Members on this side of the House. Sir, as the Government have not carried out their part of the bargain, I think they should be censured, and, therefore, I whole-heartedly support the motion.

**Mr. N. V. Gadgil** (Bombay Central Division: Non-Muhammadian Rural): Sir, I rise to support the motion moved by my friend, Sardar Sant Singh. The terms of reference and the personnel of the Committee

have been already referred to by Sardar Sant Singh, and all I can say about it, at this stage, is that, whatever may be the personnel, I can very well imagine the nature of the recommendations of that Committee. Sir, in the year 1929, when the first Committee was appointed, it took two years to submit its Report, and the Report actually came out in the year 1931. The Indian Sandhurst was actually started in the year 1933, and now, we are in the year 1939. This is the way how work is done by the Government of India, and yet, the terms of reference go to show that the whole thing is, after all, in an experimental stage,—this great nation is to be put on probation as it were to prove its capacity to defend itself! Sir, the most provoking part of this is that when England was in difficulties, when England was at war 25 years ago, then Indians were good material for the English people to recruit from all corners of this country, but the moment the difficulty and the danger receded, the old game is again there, not merely of distrust, but there is also a definite plan to cripple not only the present but the potential resources of the Indian nation so that for eternity India must depend for the defence of her borders on English people, and if there is any departure, it is so contemplated that the defence plan must be within the control of British Imperialism for its use.

Sir, the Skeen Committee suggested a certain scheme, that by the end of 1952, 50 per cent. of the officers should be Indian, but even this was too much, and there was an alternative scheme suggested for Indianising one division. Whatever may be the objects behind this scheme, one thing is certain that the Committee that is now proposed will recommend something else, and I am certain that the entire question will perpetually remain in the stage of experiment and probation. Sir, I cannot believe in this policy. The British Government ought to make its objective clear. Does it want India to defend herself or not? If you once formulate the objective that it is the concern of India to defend her own borders, then you must definitely state a time limit within which the entire Indian Army will be officered by Indians themselves. In fact, in the course of the discussion in September last, on the appointment of a Committee in terms of the recommendation of the Sandhurst Committee, the Leader of our Party stated that we were willing to serve on the Committee only on two conditions. One was that the majority must consist of elected Members, and secondly, that we could only serve on the Committee on the definite understanding that there would be complete Indianisation within fifteen years and no more. Now, what has happened is this. An elected majority is not there, precisely because of the second condition which was formulated by the Leader of the Congress Party. If there was any honesty, if there was any sincerity, if there was any desire to have a fair deal towards India, I am certain that this time limit would have been accepted and would have been made part of the terms of reference. In the year 1918 or thereabouts, a report was submitted by Lord Roberts that it was within the range of practical politics to Indianise the army within a period of thirty years. It is not as if those Generals or those military experts who came afterwards thought that Lord Roberts was an insignificant army man. But the whole object has changed. They do not want Indianisation, because, at that time, England was in difficulty and now England is out of difficulty. That is why they have changed their objective.

[Mr. N. V. Gadgil.]

I am supporting this motion on the ground that, whatever may be our objection with regard to the personnel constituting this Committee,—on the ground that I am not satisfied with the terms of reference of this Committee. In fact, this is an acid test for the Government. If they are really anxious to Indianise the whole army, I cannot measure their anxiety and their sincerity except in terms of a certain time limit. I will be told that enough material is not available. I have been on one occasion on the Board of Interview and Record two years ago. We interviewed about 17 candidates and the report we wrote was that every one of them was more than the average that was necessary or that was laid down. As I see, in this country—and I have made a rough calculation because I had no idea that I would be asked to speak this after-noon—there are half a million students who are undergoing education in nearly 17 universities, and there are nearly 50 lakhs of students who are undergoing secondary education. In face of this, we are to be told that good material is not available! But, may I go further into this objection and say that these young men are good for all other professions, where initiative, resourcefulness and all those other qualities which go to make up an officer—if there they are found fit, why is it that they are not fit in this particular case? The reason is that there is no encouragement at all. I agree that this career is not such as can be easily followed. There are certain qualities required in an officer, but those qualities can be very well developed if we have a good, well thought out plan so that we may achieve it within, say, a period of 15 years. I am throwing out some constructive suggestions for the benefit of the Defence Secretary. If he is really anxious, I can point out to him that in the secondary educational institutions and in the universities military training should be made compulsory and there should be established provincial boards so that they may pick out good boys while they are in the university and they may know that their future career is in the army. If such methods are adopted, I do not think that enough material will not be available. On the other hand, the difficulty will be that there will be such a large number of choice and selection that the task of those who want to select will be very difficult.

Sir, when the war started in 1914 I offered myself for being enrolled in the army. I was rejected because I happened to be a Brahmin, no fault of mine. But two years afterwards, in the year 1917, when I again offered myself, I was quietly enrolled and I was posted to the 117th Mahattas and, later on, I was transferred as a non-commissioned officer for the university battalion of the Indian Defence Force. If I was a good material then or belonged to a martial race then; I do not know if I offered myself again,—I am not sure if the Defence Secretary will not reject on the simple ground that I happen to be a Brahmin. This artificial distinction, between martial and non-martial races, is the predominant note which is the guiding policy of the Government here in India. They want to create these differences so that a particular section may retain the power of having exclusive monopoly and right to enter the military service. Not only this, but collaterally I may say they have managed things in such a manner that only one province in India should have a predominance in this line. I have no objection, but they are recruiting people, not from within borders of this country but from outside. Out of an army of 170,000, just imagine 20,000 who are not the citizens of this

country, are the Gurkhas, and nearly four or five thousand are recruited from the tribal area which, according to the present notions, does not belong to our country. Now, think of this, that a policy which contemplates the defence of this country and which recruits such a large proportion of its army from outside its borders—whether it is a policy of prudence or whether it is a policy fraught with sure disaster at the supreme hour. The real difficulty is not that there is not enough material available. You talk of traditions. All right, I understand traditions. From what time do you want traditions to date? What was the history of these races, before the Britishers came? But the whole aspect of war has undergone a change. Land forces we have got enough. The power of destruction from air has increased ten thousand per cent. according to Professor Haldane. Therefore, wisdom lies in increasing not merely the land army, but more that arm of defence which we call air. And there are no traditions even for the Englishman. This air arm has come into prominence only during the last 25 years. What traditions were there for the Englishman to qualify himself as a good pilot or a good officer in the air section of the force? If they can do it, what is there to prevent the Indian youths from doing it? But, as I said, they do not want to do it. They only want the Indian people to progress in such a manner that they will perpetually remain in the stage of experiment. May I describe it as a policy of progressive realisation of Indianisation of the army and the navy and perhaps the air, and nobody knows how long it will take, and the stages of that progress are to be determined, not by the capacity and ability of the people concerned, but by the whims and the arbitrariness of the Defence Secretary, whoever may be that person particularly concerned at the time! That is not the way to solve the problem. In this world, where the new diplomacy has come to play a great havoc, wars are not declared now a-days. This is an era of undeclared wars. Tomorrow, without any declaration, our frontiers may be attacked, and you people, if you do not want and if you do not think that India is worth having on account of the trouble inside and on account of invasion from outside, you will quietly walk away. Then it will be our concern, as it has always been our concern. Therefore, we cannot tinker with this problem. So I want that the terms of reference should include a definite time limit within which the entire army should be Indianised. I am not one of those who are willing to have the money from England for the British section of the army. I want them to go out. If the strength is decreased, I want to get it replaced by Indian rank and file as well as officers. As regards the financial aspect of the question, I might contemplate Britain paying all the cost of the British section of the army here but that is no good, because they will continue to be an army of occupation. I want them to go out because, without that, we cannot stand on our own legs. It is from that point of view that I am against any section or portion of the British Army being kept here. Therefore, if the Government is really anxious and sincere and honest, then they cannot do better than include in the terms of reference a definite time limit within which the whole army should be Indianised and if that was a practical proposition 25 years ago, I fail to see why it is not a practical proposition today. I support the motion.

**Captain Sardar Sir Sher Muhammad Khan** (Nominated Non-Official): I have listened very patiently to my friend, the Mover's speech. I am

[Captain Sardar Sir Sher Muhammad Khan.]

very glad that Sardar Sant Singh has moved this motion. He has always pretended to belong to the martial races. As regards his speech, my friend, the gallant Knight from Bengal, has replied to him. I will simply touch on what he said about the personnel of the Committee. He said that people who always say "Yes" have been taken into that Committee.

**Sardar Sant Singh:** Have you ever said "No".

**Captain Sardar Sir Sher Muhammad Khan:** I am simply talking about myself. Whenever a committee is formed, you compose it of men who have got experience of the work which the committee is expected to do. If you want a school master, you have to go to a B.A., B.T. or M.A. You don't go to a man like my friend, Sardar Sant Singh, who does not know anything about the army.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member had better not make any personal allusion to any Member.

**Captain Sardar Sir Sher Muhammad Khan:** I am saying about myself.

**4 P.M.** I have been a member of the Indian Sandhurst Committee. I have been representing the Indian soldiers at the Round Table Conference and if any Member of the House will read my speech in the Round Table Conference in London, he will see that I have served the country just the same as any other patriot in India.

**An Honourable Member:** What about the results?

**Captain Sardar Sir Sher Muhammad Khan:** I have been a member of the Shea Committee. I have been on many Selection Boards for the last five years. So I dare say that I can serve better in this committee than Sardar Sant Singh.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member can make his point without making any allusion to any other Member.

**Captain Sardar Sir Sher Muhammad Khan:** I have been a member of the Sandhurst Committee on which you and the gallant Colonel Gidney have also served and I have the experience and right to talk about the enlisted classes whom I represent. There was a great fight in that committee over the giving of commissions to the Indian ranks and I fought for them and we got 50 per cent. commissions for them, while the politicians wanted lion's share in the commissioned ranks. Government must invite men on that committee who belong to those classes who enlist in the army and who have made their name abroad where they have proved to the hilt that an Indian can fight as well as any other soldier of the world. I do not want to keep the House long. As far I can see the men of great experience and different interests have been taken on the committee and I am sure they will serve well on the committee. With these few words, Sir, I oppose the motion.

**Mr. T. S. Avinashlingam Chettiar** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): My friend who spoke just now said that people who are connected with the army should alone reorganise it. I



would only ask him who organised the British Army before the Great War. It was Lord Haldane. He was not a military man. He was not an officer. He was a civilian and a lawyer.

**Captain Sardar Sir Sher Muhammad Khan:** He did not fight on the battle-field.

**Mr. T. S. Avinashilingam Chettiar:** I hope Honourable friend knows that it was Lord Haldane who was responsible for organising the British Army.

**Mr. M. S. Aney:** He knows nothing about Lord Haldane.

**Mr. T. S. Avinashilingam Chettiar:** People who are connected with the army can also be pig-headed. They cannot have the vision and new possibilities of a fresh mind brought to bear upon the problems. This argument that a non-military man cannot understand military matters is merely bunkum. I know of a civilian who said: 'If a military man comes and tells you that a civilian cannot understand a military matter, then put him down as a sham'. That is how I would like to put down my friend, about what he talked.

I would just like to say a few words about the terms of reference. As I had heard the Defence Secretary's speech on the Resolution in Simla, I was amazed when I read the terms of reference. The terms of reference say among other things that the Committee will report on the fact, whether the results achieved justify acceleration of the pace of Indianisation of the officers' ranks. I never thought that this question was ever in doubt. In the speech which the Defence Secretary made on the Resolution he said:

"When I say that this problem is still one which has not been solved, I do not want Members of the House to think that I am casting any reflection upon Indian Commissioned Officers. I think it will generally be admitted that, provided they are keen upon the Army, that they wanted to go to it, that it was a matter of their personal choice, no better officers could be found anywhere. I am also convinced that a very large number of that type of potential officer exists. The trouble is to tap him in larger quantities."

He has accepted that no better officers could be found anywhere and having done that, I do not see any reason for including this in the terms of reference. I say that the results have justified themselves. Then what is the reason for including this in the terms of reference? I think it is merely mischievous and trying to go back upon what they have accepted some time ago. He has himself conceded that good officers are available and after doing that, to include this in the terms of reference is simply mischievous. I do not know whether Government are justified; probably they are trying to go back upon what they had accepted. It is the same suspicion which has made them not to place the report of the Chatfield Committee before the House. It is the same suspicion which has led them not to accept *in toto* the report on the speedier acceleration recommended by the Skeen Committee; and it was the same doubt which makes them believe that the army officerships should be preserved for Europeans and to distrust Indians. That has made them, I believe, to include this term of reference. This is a motion brought forward because of the Government not accepting the verdict of this House. The Government may give reasons for not accepting the verdict of the House, that the majority of the members of the committee should be Indians, but to include



[Mr. T. S. Avinashilingam Chettiar.]

this in the terms of reference is not only not respecting the wishes of this House but positively mischievous. Sir, I support the motion.

**Some Honourable Members:** The question may now be put.

**Mr. C. M. G. Ogilvie** (Defence Secretary): Sir, I propose to begin by answering the question put by my Honourable and gallant friend, Sir Henry Gidney, as to whether the Government did or did not agree to be bound entirely by the vote of this House and also subsequently by what choice the House might choose to make of the members of the Committee, and I can assure him that the Resolution was accepted in principle. I did, it is true, say that I had no particular fault to find with the Congress amendment, except that it unduly restricted freedom of choice and that I was in agreement with those Members who had laid stress on the necessity for retaining that freedom of choice. I might not have been quite so decided in what I said had I had the opportunity of hearing the speech of the Leader of the Opposition before I made my own, and there I wish to call the attention of my Honourable friend, Sardar Sant Singh, to the fact that I could not have been aware, at the time when I accepted the Resolution in principle, of the large body of Members of this House who are demanding a time limit for the complete Indianisation of the army. I could not have been so aware as I had not then heard his speech. The speeches which preceded it, particularly the speech of the late lamented Maulana Shaukat Ali gave, in my opinion, every promise of an understanding of a very difficult problem and of co-operation with the Government in its anxious task of solving it. The responsibility in this matter, whatever people may think, whatever people may desire or whatever they may say, does still rest with Government—and it is a sufficiently heavy one.

Now, to proceed to the terms of reference about which some Members seem to feel some doubts and I think at least in one case that of my Honourable friend, Mr. Avinashilingam Chettiar, some misapprehension also exists. The recommendation of the House was that the unanimous recommendation of the Skeen Committee should be implemented. What was that recommendation? It was that, "five years after the inauguration of the Indian Sandhurst the progress should be reviewed with a view to considering whether the success achieved is not sufficiently solid to warrant a further acceleration of the rate of progress". That was the Resolution which was carried by this House that it should be done, and the terms of reference make it quite clear that that is exactly what is going to be done. He also said that a certain part of my speech showed, in any case, that the Resolution need not have been passed at all, that I had admitted that those of the officers we got who wanted to go to the army and went there of their own choice were excellent officers, in fact none better could have been had. Now to that I adhere. It is quite true that I also said that I thought that though that was so, they were difficult to tap; in fact that is one of the problems we were out to solve and one of those on which we sought the co-operation of the Members of this Honourable House, amongst others, to solve; and it is so important a problem that Government thought fit to allude to that also in the terms of reference. I think it is sufficiently clear that any acceleration in the number of commissions to be offered cannot be justified, unless there are a sufficient

number of good candidates coming forward, and that a sufficient supply of candidates is an essential pre-requisite. It is no good basing a demand for acceleration on the fact that those who are there are of good quality: you must be also sure that your competition or, at least, your number of candidates will increase proportionately with the acceleration and Government have been very anxious indeed about the progressive decline in the number of candidates,—which, from three hundred and twenty-six in the peak year, that is, 1933, sank steadily till it reached only one hundred and twenty eight in 1938. . . .

**Mr. S. Satyamurti:** Why?

**Mr. C. M. G. Ogilvie:** . . . for thirty commissions in the army! It is very hard to say why. I think one of the Honourable Members of the Honourable Member's Party gave some, at least of what *prima facie* appeared to be, good reasons; I refer to the speech of Mrs. Subbarayan. There are reasons, and it is those reasons I want to get at. My own experience both in this particular problem and educationally generally (I have had a considerable experience of examining the youths of this country) is that one of the reasons, so it appears to me, is that in the majority—not all, I am not generalising completely, but in the majority of candidates for any service there appears to be no particular choice in the boy's own mind. I remember, when I was examining for the Punjab Civil Service of my province, we used to have 250 candidates—many of them extremely good—for two or three vacancies, and I used to ask most of these boys, amongst other things, what they would do if they did not get one of these vacancies. The answer I almost invariably received was, "I shall go in for competitions". I said, "what do you mean—competitive examinations—any particular one?" "No", it was said, "just as they come, I will get in somewhere, if not the I.C.S., then the Indian Finance Department, the Indian Police, down even to clerkships"—they take all these examinations. What is the reason for this lack of development of personal choice in the minds of the young? I am not quite clear.

**Sir Syed Raza Ali** (Cities of the United Provinces: Muhammadan Urban): Because there are no careers.

**Mr. C. M. G. Ogilvie:** I think there are careers. I think it is due to their being ruthlessly ground down to their text-books,—not only by their school masters but also by their parents. I know from my acquaintance with the Indian families in the Punjab, at any rate, that when a small boy attempted to show some independence of character and some desire to play with machinery or something of that sort, he was promptly told to stop it and get on with his work. We thought, then, that possibly a cure for this state of things might be found in altering the system of recruitment and in trying, let us say, something like the British naval system of recruitment where boys are chosen for the service at the age of 13 and where by the time they enter it, they are soaked in its traditions and consider that there is no service and no life in any way to compare with it. Whether that would be suitable to Indian conditions and ideas, I am by no means sure but it is worth careful examination. I noticed myself that a large number of the boys who appeared for this examination knew nothing about the army at all and yet they had been content to put their names down for a service, in which to pass their lives, without the slightest

[Mr. C. M. G. Ogilvie.]

knowledge what it entailed. I suppose the army now forms one on the list of posts to be competed for—perhaps not one very high up—but certainly with a number of exceptions, but in the majority of cases they had shown no knowledge of the service at all. This was the case even with boys who had been born and brought up in cantonment stations. I have asked boys who appeared for this examination whether they had read any military history. The reply was 'No'. Then, I asked whether they had read of the doings of the English Corps in France. Again the answer was 'No'. It is that kind of trouble which is perhaps in the way of our getting more candidates than we do. There may be something wrong with our publicity, but still there is a mass of material on these subjects which anyone can get hold of if he wants to do so. Take one case.

I am now referring to the Navy which are having equally bad luck though the disadvantages which are attributed to the army by some Groups in this House do not apply to the Navy at all. One boy was asked whether he had ever seen a ship. He replied 'No'. Then, he was asked whether he had ever seen the sea. The answer again was 'No'. Then, he was asked what he knew about the navy? He replied: "I know quite a lot about the navy". He was asked: "How did you find that out?" He said "I went to a film called the 'Mutiny on the Bounty'." It is hard to believe that a boy would try for a life career on knowledge based on the mid-eighteenth century conditions of the British navy where the smallest misdemeanour was punished at once with 100 lashes and people were set adrift in open boats and all that kind of thing. Of course, it does credit to his heart but it shows that there is some thing wrong somewhere. If many think like that, I am not surprised that we do not get many candidates.

**Mr. Sri Prakasa** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): May I ask if the Honourable Member had seen India before he came here?

**Mr. C. M. G. Ogilvie**: I had heard and read a good deal about it, and I did not believe that the conditions of the mid-eighteenth century existed here.

Now, as regards the personnel of the Committee. Sufficient has perhaps been said about that by other speakers, but in the circumstances the problem, though it is, I admit, of very great political interest, must be taken as a practical problem and the people whom we had hoped to give assistance in that way were people who had a practical interest in it. If there had been sufficient degree of interest and knowledge among sufficient elected Members of this House, it would certainly have entitled them to be preferred. But those who were selected were selected for a variety of reasons. The first condition was that they should all be persons of as wide experience as possible and also that they should have a practical interest and, if possible, a practical knowledge of the nature of the problem to be dealt with. The second condition was, that the point of view of parents would have to find representation, that is to say, persons who had sons either in the army itself or in the Indian Military Academy. The point of view of the parents, provided that he or she was a person of wide-practical experience in the world generally, would, in the circumstances I

have tried to explain to the House, have been invaluable. The third desideratum was that touched upon by my Honourable friend, Captain Sir Sher Muhammad Khan. It must be remembered that 50 per cent. of the officers of the army, with whom we are now dealing, are drawn from the ranks of serving soldiers, and any Committee which was dealing with their prospects and might possibly make recommendations which would alter them in any way obviously must include persons who knew them, their capacities and their ways of thinking. That accounts for some more.

Finally, it was desirable that some at least of the members of the Committee should have educational experience as the educational side of this problem enters into the matter also. Lastly, it was desirable that they should not come from one part of the country but that north, south, east and west should all be represented, at least, to some degree. While I am on that point, I may refer to a remark of my Honourable friend, Mr. Gadgil, in which he reproached the Government for recruiting only from the alleged martial classes. This refers to recruitment of officers and not of men and, at any rate, there is no question of any class whatever receiving preference, as far as the vacancies for open competition are concerned. I may say in passing that the Government do not recognise the term "martial classes". The term they use is "enlisted classes". Government do not say and never have said that some classes only enjoy the monopoly of courage and the military virtues. What they do say is that recruits in large numbers, in bulk, can best be obtained from certain classes. As regards officers, every one has an equal chance for the vacancies for open competition whether they come from the enlisted classes or not and in fact most of those who are successful do not come from the enlisted classes.

Now, Sir, another aspect of the problem before us which I may mention—it is very difficult to talk about so difficult a matter in the short space of time that is allotted to me—is the enormous differences in the race and the country of those who now serve side by side in the same regiment and live as a family in the same mess. Twenty years ago I make bold to say that few people, perhaps none whatever, would have said that a Parsi officer can command Pathans or a Mahratta officer could command Jats. That has been proved not to be the case. These boys from the various parts of the country coming from homes, not only geographically widely separated, but separated in practically everything, in language, food and customs, habits of social life are being welded together into a homogenous body of officers and that is an achievement of which we may well be proud. The fact that it is being done so extremely successfully should not, I think, detract from the splendid nature of the success achieved. Honourable Members who compare this country to little places like Nepal and Afghanistan are surely wide of the mark.

Finally, I would be entirely straightforward and say that it is no use at all any one asking for the abolition of British officers at this stage. We are here asked by a large portion of the Members of this House not only to stop all further recruitment of British officers, which in itself would be a most drastic step and one which has never been contemplated, but to dismiss all British officers in less than—it does not say how much less than—fifteen years time. If the committee were to start with that as a premise, I agree, Sir, that it would be much better if it is torpedoed, for otherwise it would be a complete waste of time. We are not considering any such policy. What we are considering is that laid down in the terms

[Mr. C. M. G. Ogilvie.]

of the Resolution, which is, whether the progress of acceleration of the Indianisation of the officer ranks could be accelerated. That is all I have to say.

**Mr. M. S. Aney:** Sir, I have listened to the reply of the Honourable the Defence Secretary with the utmost attention and, as usual, it is surely disappointing. Sir, the cut motion is intended to bring prominently to the notice of the House two things, that the appointment of the Committee by the Government does not comply with the demands which the House wanted to make when it adopted the Resolution on the subject last time. The first prominent point was that a majority of the Members of the Committee should be the elected Members of this House, and the second point, which casually came in, was the time within which this objective of Indianisation of officers could be reached. Now, Sir, my Honourable friend, the Defence Secretary, admitted that the Resolution was admitted in principle. For the sake of showing that his admission in principle is completely vindicated by the sort of Committee that he has appointed he read out to us the paragraph from the Sandhurst Committee's report to which reference is made in the Resolution. I would request the Honourable the Defence Secretary to carefully note the fact that the Resolution before the House is to be understood in the light of the remarks and observations made by the Honourable Member who moved it and by those who supported it. Is it possible for the Honourable the Defence Secretary to say that he has not heard anything like that in the debate, that when the House really insisted upon a majority of Members of that Committee to be from the elected Members of this House, it did not really want that objective of Indianisation to be reached within certain definite time limit. I know in his speech he did not make a reference to the question of time limit. I may accept his explanation for the time being. But when the Honourable the Leader of the Opposition spoke after him, he emphasised that point, and when the terms of reference were prepared by him, the speech of the Honourable the Leader of the Opposition was before him and he knew that it was the speech of the most responsible Member of this House. It was the speech of the Leader of a Party which is the majority Party, not only in this House but which virtually represents the Indian nation as a whole. So, the observations which he was making in asking the Government to implement that Resolution were intended to communicate to the Government of India and, particularly, to the Army Department, that the Indian nation would not be satisfied merely by the appointment of a committee without any objective at all, but that they would be satisfied only if it be coupled with the definite objective of reaching the goal within a certain time. If these observations are not read by him into that Resolution, I take it that he considers the debate in this House as entirely useless and it is not as if there was nothing for him to consider at all in the various observations that are made whenever a particular question is debated in this House. The Honourable the Leader of the Opposition wanted the Defence Secretary to know and the Army Department to know that the Indian nation was no longer in a position to be satisfied with mere promises of efforts being made by the Government to gradually make the experiment in the progressive Indianisation of the army without knowing within what period this Indianisation might be completed. This kind of indefiniteness in the matter of defence was the bane of the policy which the Government

of India have been pursuing in this matter. That is the reason why this question is repeatedly brought on the floor of the House and the attention of the Government of India is repeatedly drawn to this question.

I thought that in view of the great changes in the international situation the attitude of the Government of India probably might be undergoing some kind of change for the better and that the Government of India might, at least, change its own outlook and see that the defence of any country could not be left in the hands of foreign officers for all time to come. They must know that a nation must be capable of defending itself and that if a programme like that is to be carried out, there must be a well-thought out plan. These are the days of planning and in this matter you cannot say that you do not know how this can be done. If you can plan out everything you should also be able to plan out a scheme for training Indians in the art of defence. If things are allowed to drift as they do at present, it is impossible for us to conceive any period at all in which the Indian nation can be fit to officer the Indian Army. It means that there is a determined attitude on the part of the Government of India to maintain this army officered by foreigners as long as they can. The Defence Secretary definitely told us that if this idea of time limit is to be a matter to be considered by the committee they may stop their work at once. That is the very reason why the most representative part of this House thought it fit to dissociate itself from the committee. The very thing that the nation has repeatedly been bringing to the notice of Government is treated by the Government to be entirely unworthy of their consideration. That is the position. The representative part of this House was perfectly justified in telling the Government of India, unequivocally, that they will have nothing to do with a committee like that. It is the attitude of this kind which makes any kind of progress towards nationalism in this country impossible. The attention of the Defence Secretary was categorically drawn by my Honourable friend, Mr. Chettiar, to the statement that he himself gave out, expressing the opinion during the last debate, that the Indian officers who have been admitted have proved very useful and very capable and he also admitted that there is a possibility of getting more officers and that the further difficulty was that of tapping, etc. These observations he tried to explain away. As regards the difficulties about tapping he tried to fasten the blame on the parents of boys and the manner in which they are brought up and that sort of thing. My Honourable friend, Mr. Sri Prakasa, rightly told him that you could hardly expect these boys to know a thing before you take them to the thing itself. You are keeping them away from the army and, at the same time, you complain about their ignorance of the army. That is a peculiar position. You keep the army a sealed book from them. Army is a *terra incognita*, to the Indians and still you say that the true test of an army career is a knowledge of the army. How can you expect them to know all these things when you have kept these things a sealed book from them? I feel that the British officers themselves were incapable of training anybody at all; somebody must learn without their assistance and then, if he proves his capacity one day by beating them, then alone will they recognise that Indians have the capacity to lead an army and beat them. That being the attitude, people have ultimately begun to despair of any genuine efforts being made by Government in this direction; and they are, therefore, thinking of making some efforts in their own way, but so slow and reluctant is the response of Government

[Mr. M. S. Aney.]

in this matter. The Government probably feel that it would be a danger if Indians once take to the military career. So they feel a suspicion and danger in this new growth and movement among Indians. It is that suspicion which comes in the way of Indians being admitted in the proper proportion. I really want to know what is the explanation which my Honourable friend has given of this abnormal state of things?

In the peak year 1933, as he calls it, about 325 or 328 applicants appeared before him and he says that in the year 1938, the number was 127 or 128. I am quite sure that the Indian boy of 1933 has not changed at all in the year 1938. If there was a change it was in those who made the selection and not in those who offered themselves for selection. The manner in which their applications are rejected has in itself created an atmosphere of despair and despondency and no young man thinks it proper to offer himself for admission when there is an atmosphere of discouragement being created all round. And so, because there is a decrease in the number of candidates that is made a ground for saying that there is no proper tendency among Indians and some efforts will have to be made to tap the proper sources and, therefore, this committee is now appointed to find out if there is a possibility of having any resources at all to tap. If your experience of five years does not enable you to see that I am quite sure that you can carry on that kind of experiment for a hundred years more, as there is no real desire to make any progress at all in this direction. I, therefore, think that this House will be well advised in adopting this motion not that we hope to get anything in return immediately but at least it would be a good reminder to them that the existing state of things is not one which commends itself to this House and they hope to get nothing out of the committee of which so much has been made by the Defence Secretary. Sir, I support this motion.

**Mr. M. Asaf Ali:** Sir, I rise to support this motion. Originally I did not desire to intervene in this debate at all but, after the Defence Secretary's speech which appeared to me to be more or less a sort of red herring, I feel that I must say a few words. Permit me, Sir, to draw the attention of the House to the real origin of the Resolution, on the basis of which this cut motion has been tabled. That Resolution originated in a recommendation which was made by the Skeen Committee in these words:

"Our colleagues, the Honourable Sir Phiroze Sethna, Mr. M. A. Jinnah, Diwan Bahadur Ramachandra Rao, Major Zorawar Singh and Major Bala Saheb Daffe, while agreeing to the principles upon which the suggested scheme of Indianisation is founded, consider that the culminating point of the scheme, that is to say, the Indianisation of 50 per cent. of the cadre of officers of the Indian army, should be reached at an earlier stage, namely, after 15 years in the case of Mr. Jinnah, Diwan Bahadur Ramchandra Rao and Major Zorawar Singh, and after 20 years in the case of the Honourable Sir Phiroze Sethna and Major Bala Saheb Daffe, and that the intermediate stages subsequent to the establishment of the Indian Sandhurst should be correspondingly accelerated."

Then comes what gave rise to the Resolution in this House:

"It is, however, unanimously agreed that, whether the slower or the more rapid rate of progression is ultimately adopted, the scheme actually in operation should be reviewed in 1938. That is to say, five years after the inauguration of the Indian Sandhurst with a view to considering whether the success achieved is not sufficiently solid to warrant a further acceleration of the rate of progress."



Further acceleration would mean, not 15 years or 20 years, but something less, naturally; that is to say, what the Skeen Committee really recommended was that in 1938 the whole position should be reviewed by a committee which should determine whether the pace of Indianisation should not be accelerated further beyond the limit which they had in view at the time because they wanted to re-examine all the facts. Now, that Resolution carried a certain amendment with it; and, if I remember aright, the Honourable the Defence Secretary not merely agreed with that Resolution, as amended, in principle, but he did not raise the voice of protest against the amendment which was intended to tie the hands of the Government. The House said that they must have a majority of the members of this committee from amongst the elected Members. The Government did not even so much as challenge a division for the purpose of suggesting that they could not possibly give effect to the amendment. That being so I really cannot think how they can come now and say that they accepted the Resolution at the time merely in principle and they did not agree to the amendment which in a way restricted the field of their choice. Even in respect of that question I think I may draw attention to the composition and personnel of the Skeen Committee. If I remember aright, excluding the official member, Lieut.-General Sir Andrew Skeen, nearly one half of the members of that committee were from amongst the elected Members; and if I count also Sir Ziauddin Ahmad, who at that time happened to be a member of a provincial council as an elected member, then the elected Members were certainly in a majority. . . .

**Mr. C. M. G. Ogilvie:** There were four Assembly Members.

**Mr. M. Asaf Ali:** May I count them again? Pandit Motilal Nehru—elected; Mr. Jinnah—elected; I do not count Sardar Jogendar Singh; Sir Phiroze Sethna—elected; Diwan Bahadur M. Ramachandra Rao—elected; Sir Abdul Qaiyum—elected; and Sir Ziauddin Ahmad—elected. It appears to me that in 1938 the Government are taking a backward step. If you look at the personnel of this committee, you will find that there are only two elected Members out of another legislature on the whole of this committee; and only three Members from this Legislature were approached who declined to serve on this committee on the simple ground that the Government were not prepared to give effect to the desire of this House, to have a majority of the members of this committee from amongst the elected Members. If the Government had really intended to give effect to the desire of this House I can assure them that they would have had the cooperation of those whom they had approached and we would have had some sort of report from this committee which might have commended itself to the acceptance of the House. After all, the Report will come to us and they must remember that if they persist in the attitude of getting more or less a nominated committee to produce a report, I can assure them straightaway that the fate of a report of that nature is already sealed. They need not proceed with that committee at all: they might just as well dissolve it.

Mr. Ogilvie, in the course of his speech, has made reference to a number of things. I shall refer to just one or two points. First of all, I want to remind the House that today in the army there are no less than 7,000 and odd officers (interruption), I am referring to the whole of the army in India and not only to the Indian Army. I see no reason why I should not take into consideration the British Army in India when I



[Mr. M. Asaf Ali.]

am thinking of all the officers because, after all, it is India who pays for them. As I say, there are 7,000 odd officers. We want every one of them to be replaced by Indians and we want that to be done within the shortest possible period, because we feel that it is our right that all the British officers of the Indian Army and the British Army in India should be replaced by Indians at as early a date as possible. That being our objective, I see no reason why the terms of reference which the Government have in view should not have been infinitely wider than they are at present, because we have to go much further than the terms of reference of the Skeen Committee. The Skeen committee, at the time they were considering these questions, were only thinking of having 50 per cent. Indian officers in the Indian Army. But this House wants all the officers in the army to be Indians and none else.

Mr. Ogilvie had a tale of woe to relate to this House. He felt that there was lack of enthusiasm and lack of interest among the candidates who presented themselves for selection as officers in the Indian Army; and he could not explain it in any way whatsoever: he could not understand it. My answer to that can be fairly long; unfortunately, I shall not be here tomorrow to enter into an argument on that point but I shall seek another opportunity of having my say. Today we have got to divide the House in about two minutes and I shall not be able to go through all my points in reply to Mr. Ogilvie. But I can sum it all up in one sentence. Mr. Ogilvie feels that there is lack of enthusiasm and interest among Indian boys. I wonder whether all the other non-Indian boys whom he has met elsewhere were actually born with machine guns and dreadnaughts in their hands and whether they sucked nothing else but the milk of clauswitz at the breast of their mothers? If that can be true, it is a different matter altogether; but I believe boys are boys all the world over; and whether you go to England or to India you find they have got exactly the same outlook. I have known English boys playing bobbies and army officers and naval officers and so do the Indian boys; but while they play in that fashion they do not always become either army or naval officers or even policemen. So the complaint of Mr. Ogilvie seems to me to be absolutely—I do not know how to characterise it—futile, let me say.

Finally, I should like to say one word more and I have done. One of the reasons why Indian boys of the right class, as conceived by the Commander-in-Chief of India or perhaps by the Defence Secretary, are not always forthcoming—and I hope Mr. Ogilvie and the Government of India will make a note of this—is entirely that service in the Indian army today is not considered a patriotic service. You have to create conditions in which Indians may begin to look upon the Indian army as a patriotic service, and then you will find so many forthcoming that perhaps you will not be able to make provision for them. That really is the essence of the whole thing. With these few words, Sir, I support the cut motion.

**Some Honourable Members:** Sir, the question may now be put.

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

"That the question be now put."

The motion was adopted.

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

"That the demand under the head 'Executive Council' be reduced by Rs. 100".

The Assembly divided:

AYES—57.

Abdul Qaiyum, Mr.  
Abdullah, Mr. H. M.  
Abdur Rasheed Chaudhury, Maulvi.  
Aney, Mr. M. S.  
Asaf Ali, Mr. M.  
Ayyangar, Mr. M. Ananthasayanam.  
Azhar Ali, Mr. Muhammad.  
Bajoria, Babu Baijnath.  
Banerjee, Dr. P. N.  
Basu, Mr. R. N.  
Chaliha, Mr. Kuladhar.  
Chaudhury, Mr. Brojendra Narayan.  
Chettiar, Mr. T. S. Avinashilingam.  
Das, Mr. B.  
Desai, Mr. Bhulabhai J.  
Deshmukh, Mr. Govind V.  
Essak Sait, Mr. H. A. Sathar H.  
Fazl-i-Haq Piracha, Khan Bahadur  
Shaikh.  
Gadgil, Mr. N. V.  
Ghiasuddin, Mr. M.  
Gupta, Mr. K. S.  
Hegde, Sri K. B. Jinaraja.  
Hosmani, Mr. S. K.  
Ismail Khan, Haji Chaudhury  
Muhammad.  
Jedhe, Mr. K. M.  
Jehangir, Sir Cowasji.  
Jogendra Singh, Sirdar.  
Joshi, Mr. N. M.

Kailash Behari Lal, Babu.  
Lalchand Navalrai, Mr.  
Maitra, Pandit Lakshmi Kanta.  
Malaviya, Pandit Krishna Kant.  
Mangal Singh, Sardar.  
Manu Subedar, Mr.  
Miera, Pandit Shambhu Dayal.  
Mudaliar, Mr. C. N. Muthuranga.  
Muhammad Ahmad Kazmi, Qazi.  
Paliwal, Pandit Sri Krishna Dutta.  
Pande, Mr. Badri Dutt.  
Parma Nand, Bhai.  
Raghbir Narayan Singh, Choudhuri.  
Ranga, Prof. N. G.  
Rao, Mr. M. Thirumala.  
Raza Ali, Sir Syed.  
Saksena, Mr. Mohan Lal.  
Sant Singh, Sardar.  
Santhanam, Mr. K.  
Satyamurti, Mr. S.  
Sham Lal, Mr.  
Siddique Ali Khan, Khan Bahadur  
Nawab.  
Singh, Mr. Gauri Shankar.  
Singh, Mr. Ram Narayan.  
Sinha, Mr. Satya Narayan.  
Som, Mr. Surya Kumar.  
Sri Prakasa, Mr.  
Subbarayan, Shrimati K. Radha Bai.  
Varma, Mr. B. B.

NOES—46.

Abdul Hamid, Khan Bahadur Sir.  
Ahmad Nawaz Khan, Major Nawab  
Sir.  
Aikman, Mr. A.  
Ayyar, Mr. N. M.  
Bajpai, Sir Girja Shankar.  
Bewoor, Mr. G. V.  
Bhagchand Soni, Rai Bahadur Seth.  
Bhandarkar, Mr. K. Y.  
Boyle, Mr. J. D.  
Buss, Mr. L. C.  
Chanda, Mr. A. K.  
Chapman-Mortimer, Mr. T.  
Dalal, Dr. R. D.  
Dalpat Singh, Sardar Bahadur Cap-  
tain.  
Frampton, Mr. H. J.  
Gidney, Lieut.-Colonel Sir Henry.  
Gorwala, Mr. A. D.  
Greer, Mr. B. R. T.  
Grigg, The Honourable Sir James.  
Hardman, Mr. J. S.  
James, Mr. F. E.  
Jawahar Singh, Sardar Bahadur Sar-  
dar Sir.  
Kamaluddin Ahmed, Shams-ul-Ulema.  
Kushalpal Singh, Raja Bahadur.

Lillie, Mr. C. J. W.  
Mackeown, Mr. J. A.  
Maxwell, The Honourable Sir  
Reginald.  
Menon, Mr. P. A.  
Menon, Mr. P. M.  
Metcalf, Sir Aubrey.  
Miller, Mr. C. C.  
Mukherji, Mr. Basanta Kumar.  
Nur Muhammad, Khan Bahadur  
Shaikh.  
Ogilvie, Mr. C. M. G.  
Rahman, Lieut.-Col. M. A.  
Row, Mr. K. Sanjiva.  
Scott, Mr. J. Ramsay.  
Sher Muhammad Khan, Captain Sar-  
dar Sir.  
Sircar, The Honourable Sir  
Nripendra.  
Sivaram, Rao Sahib N.  
Slade, Mr. M.  
Spence, Mr. G. H.  
Stewart, The Honourable Sir Thomas.  
Sukthankar, Mr. Y. N.  
Sundaram, Mr. V. S.  
Zafrullah Khan, The Honourable Sir  
Muhammad.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 15th March, 1939.