

27th October 1941

**THE  
LEGISLATIVE ASSEMBLY DEBATES**

**Official Report**

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**Volume IV, 1941**

*(27th October to 18th November, 1941)*

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**FOURTEENTH SESSION  
OF THE  
FIFTH LEGISLATIVE ASSEMBLY,  
1941**



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# LEGISLATIVE ASSEMBLY

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SIR ABDUL HALIM GHUZNANI, M.L.A.

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

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**CORRIGENDUM.**

In the Legislative Assembly Debates, Budget Session, 1936, Volume I, dated the 10th February, 1936, page 471, for the subject heading "DEMAND OF SECURITY FROM THE ABHYUDAYA OF ALLAHABAD." substitute the following independent heading, namely:—

"MOTION TO DISCUSS A QUESTION OF PRIVILEGE, NAMELY, HOW FAR PRESS PUBLICATION OF A MEMBER'S SPEECH IN THE ASSEMBLY IS PRIVILEGED."

THE  
**LEGISLATIVE ASSEMBLY DEBATES**  
(OFFICIAL REPORT OF THE FOURTEENTH SESSION OF THE  
FIFTH LEGISLATIVE ASSEMBLY)

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VOLUME IV—1941

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LEGISLATIVE ASSEMBLY

*Monday, 27th October, 1941.*

The Assembly met in the Assembly Chamber of the Council House in New Delhi, at Eleven of the Clock, being the First Day of the Fourteenth Session of the Fifth Legislative Assembly, pursuant to Section 63-D (2) of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. Mr. President (The Honourable Sir Abdur Rahim, K.C.S.I.) was in the Chair.

MEMBERS SWORN.

- The Honourable Sir Hormusji Peroshaw Mody, K.B.E. (Supply Member);
- The Honourable Sir Sultan Ahmad (Law Member);
- The Honourable Mr. Madhao Shrihari Aney (Member for Indians Overseas);
- (Babu Ananga Mohan Dam, M.L.A. (Surma Valley *cum* Shillong: Non-Muhammadan);
- Mr. Henry Carlos Prior, C.I.E., M.L.A. (Labour Secretary);
- Mr. Geoffrey Stephen Bozman, C.I.E., M.L.A. (Overseas Secretary);
- Mr. John Francis Sheehy, C.S.I., M.L.A. (Government of India: Nominated Official);
- Mr. Charles William Ayers, C.I.E., M.L.A. (Government of India: Nominated Official);
- Mr. Venilal Tribhovandas Dehejia, M.L.A. (Government of India: Nominated Official); and
- Mr. Tinnevelly Sellamier Sankara Aiyar, C.I.E., M.L.A. (Government of India: Nominated Official).

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

#### **PURCHASES OF CLOTH BY THE SUPPLY DEPARTMENT FOR THE PURPOSES OF THE DEFENCE DEPARTMENT.**

1. \***Sir Abdul Halim Ghuznavi** (on behalf of Dr. Sir Ziauddin Ahniad) :

(a) Will the Honourable Member for Supply be pleased to state the prices paid by the Supply Department for the various qualities of cloth purchased for the Defence Department in September 1939, September 1940 and September 1941?

(b) What is the total quantity purchased by the Government for the Defence Department in 1939-40, 1940-41 and the first six months of 1941-42?

(c) What are the quantities they propose to purchase during the second half of 1941-42? What are the quantities they propose to purchase during the year 1942-43?

(d) Do Government expect that they will be able to make their purchases of cotton piece-goods approximately at the prices they have been paying so far? If not, why not?

(e) Do Government propose to pay higher prices than those they have paid in the past? Will they be pleased to state the reasons?

(f) If the answer to part (e) be in the affirmative, and if the increase in prices is not due to increase of cost of production, what steps do Government propose to take to ensure reasonable prices being paid by the Supply Department for the Defence Department?

**The Honourable Sir H. P. Mody:** As regards parts (a), (b) and (c) the information is being collected and will be placed on the table of the House in due course.

With regard to (d), (e) and (f) Government are not in a position to make any statement at this stage. The whole question is under consideration, and I hope to make an early statement.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if prices have risen on account of exorbitant prices being given by the Supply Department in purchasing materials?

**The Honourable Sir H. P. Mody:** I am not aware of that.

**Mr. Lalchand Navalrai:** Will the Honourable Member make enquiries and let us know? We must have some information on that.

**The Honourable Sir H. P. Mody:** I said that I was making a statement, but I may as well say at this stage that it is not correct that prices have risen because of what is being offered to the trade by the Supply Department.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if up to now purchases have been made at a higher price than what is ruling in the market?

**The Honourable Sir H. P. Mody:** It is entirely the other way about.

**Mr. Lalchand Navalrai:** May I also know if large commissions are being given to the contractors, and, therefore, prices rise?

**The Honourable Sir H. P. Mody:** I am not aware of that.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member whether prices have risen in the country on account of the Supply Department's materials being purchased?

**The Honourable Sir H. P. Mody:** To the extent that the Supply Department's requirements eat into the available stocks or available production in the country, to that extent it may be true, but it is not true that the Supply Department's operations have tended to raise prices. I have already told my Honourable friend that the Department pays much lower prices than what are charged by the industries concerned.

**Mr. Lalchand Navalrai:** Has the Honourable Member made any attempt, or have the Supply Department officials made any attempt to ask the Government to control the prices in the country so that there may not be exorbitant prices?

**The Honourable Sir H. P. Mody:** My Honourable friend might address that to my Honourable colleague, the Commerce Member.

**Mr. Lalchand Navalrai:** I am asking from the Supply Department whether they have made any attempt. The Honourable Member is new.

**Mr. President** (The Honourable Sir Abdur Rahim): Is that the business of the Supply Department?

**Mr. Lalchand Navalrai:** I am also asking the Supply Department. The Honourable Member is in charge of the Supply Department.

**Mr. President** (The Honourable Sir Abdur Rahim): Is it one of the functions of the Supply Department to control prices?

**The Honourable Sir H. P. Mody:** The Supply Department has enough troubles of its own without wanting to add to them.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member whether, on account of these troubles, no further progress has to be made?

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

**Lieut.-Colonel M. A. Rahman:** With regard to part (a) regarding the various qualities of cloth purchased for the Defence Department, may I know whether this includes first field dressings manufactured in India?

**The Honourable Sir H. P. Mody:** Well, it includes everything in the way of textiles and if my Honourable friend is interested particularly in this question of the prices paid for dressings, I will see that the statement includes them.

**Lieut.-Colonel Sir Henry Gidney:** In view of the reply given by the Honourable Member, will he inform this House whether or not prices have risen considerably of late. If so, and in view of the fact that he denies it is due to the high prices given by Government, could he tell us what are the other reasons which have led to these high prices?

**The Honourable Sir H. P. Mody:** The very simple reason, namely, the lag between supply and demand.

**Mr. Huseenbhai Abdullabhai Laljee:** Has not the cost of labour and other charges gone up?

**The Honourable Sir H. P. Mody:** Everything has gone up.

**Maulvi Abdur Rasheed Chaudhury:** With reference to clause (c) of the question, may I know the amount paid in 1939-40, 1940-41 and the first six months of 1941-42?

**The Honourable Sir H. P. Mody:** The information is being collected.

#### BENEFITS ACCRUING TO INDIA UNDER THE LEASE AND LEND ACT OF THE UNITED STATES OF AMERICA.

2. \***Sir Abdul Halim Ghuznavi** (on behalf of Dr. Sir Ziauddin Ahmad) :

(a) Will the Honourable Member for Supply be pleased to state whether India will be allowed any stores for the Defence Department under the Lease and Lend Act of the United States of America? If so, on what terms?

(b) What are the main categories of articles that will be supplied to India under the Lease and Lend Act?

(c) Have arrangements been made to ensure that India gets the same advantage under the Lease and Lend Act as the United Kingdom?

**The Honourable Sir H. P. Mody:** I should like to make it clear at the out-set that final discretion regarding the acceptance of any requisition from any Empire country under Lease/Lend rests with the American Administration. It is not, therefore, possible for the Government of any indenting country to express a definite opinion on what will be allowed or supplied, or on what the American attitude will be towards different Empire countries. That attitude will be determined by the American Government's own appreciation of the war position and the conditions and needs of the various countries.

Subject to this fundamental consideration answers are given below to the Honourable Member's three points.

(a) It is open to India to place requisitions under the Lease and Lend Act on the same terms as any other Empire country. The articles sought must be essential for India's war effort and full particulars of urgency, contemplated use, etc., have to be given.

(b) The main categories of articles which India may hope to receive are :

- (i) Munitions and vehicles and other articles for the use of the Defence forces;

(ii) other articles considered essential for the country's war effort and not procurable elsewhere. Separate memoranda have already been prepared in regard to many of these articles, such as steel, telephones, agricultural, road-making and haulage machinery, oil, and railway, dock and harbour equipment.

(iii) The guiding criterion, however, is not a definitive list, but essentiality for the war effort, and the examples given are not exhaustive. As time goes on, essentiality for the war effort involving procurement from the United States of America may be expected to develop.

(c) Subject to the general considerations indicated in the introduction to this answer, 'Yes'.

**Pandit Lakshmi Kanta Maitra:** May I know if there is any agency of the American Administration in this country to look after these matters?

**The Honourable Sir H. P. Mody:** No. There is an agency of the Government of India in America, as the Honourable Member knows.

**Pandit Lakshmi Kanta Maitra:** Do I understand that all these applications for requisition of stores for military purposes or otherwise have got to be addressed direct to the Agent of the Government of India in America? Does it not involve a lot of delay?

**The Honourable Sir H. P. Mody:** My Honourable friend has not understood the procedure. They are all put through the Government of India and re-transmitted to the Indian Purchasing Mission in America which in consultation with the other purchasing missions puts through these indents in bulk through His Majesty's Government.

**Pandit Lakshmi Kanta Maitra:** Is it in the contemplation of the Government of India to see to it that an agency of the American Government is set up here to expedite matters?

**The Honourable Sir H. P. Mody:** I am not aware of any demand for that purpose from any quarter. I do not think that there is any difficulty whatsoever in the way of indentors placing indents, provided they fall within the category of war requirements.

**Pandit Lakshmi Kanta Maitra:** In some cities in India, for instance, Calcutta, Bombay and Karachi, there are already in existence some officers under the Lease and Lend Act under American supervision?

**The Honourable Sir H. P. Mody:** No.

**Mr. Lalchand Navalrai:** May I know if any attempt has been made or any reference has been made to the United States in order to have their help in the purchase of stores under the Lease and Lend Act?

**The Honourable Sir H. P. Mody:** Transactions are being put through continually under the Lease and Lend Act.

**Mr. Lalchand Navalrai:** What has been the result of that?



**The Honourable Sir H. P. Mody:** We are getting the stuff.

**Mr. Lalchand Navalrai:** Under the Lease and Lend. Act?

**The Honourable Sir H. P. Mody:** Yes.

**Lieut.-Colonel Sir Henry Gidney:** When the Honourable Member referred to munitions, may I know whether he includes in that aircraft, locomotives and anti-aircraft guns?

**The Honourable Sir H. P. Mody:** Special arrangements are made so far as they are concerned.

**Lieut.-Colonel Sir Henry Gidney:** From America?

**The Honourable Sir H. P. Mody:** Yes, from America.

#### BENEFITS ACCRUING TO INDIA DUE TO THE CONSTITUTION OF THE EASTERN GROUP SUPPLY COUNCIL.

**3. \*Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Supply be pleased to state if the Eastern Group Supply Council was constituted in India, having one of its objects to fully exploit the potential resources of India and make her self-sufficient in regard to her defence requirements?

(b) If the reply to part (a) be in the affirmative, what progress has been made in that direction? If the answer to part (a) be in the negative; what were the objects for the creation of the Eastern Group Supply Council?

(c) Is the Honourable Member aware of the recent statement of Mr. M. S. A. Hydari, C.I.E., I.C.S., in this connection to the effect that mainly the object of the Eastern Group Supply Council is the efficient procurement of war supplies, using the Group as a vast unit of supply? If so, what has the Council really done, or is going to do, for this country, and what has Mr. Hydari done, or proposes to do, for Indian war requirements as a Member of this country on the Group?

(d) What assurance has this country got that, where there are alternative sources of supply within the Group countries, India would get a fair share?

(e) Has any assurance been given that, in case of any new industries being established, or existing ones expanded, India's claim will be duly considered?

(f) What safeguards are provided by the Government of India against any likelihood of the interests of India being subordinated to other interests in the Group?

(g) Has the Eastern Group Council established any new industry, or expanded any old one, in India, or within any Group country? If so, which and where?

**The Honourable Sir H. P. Mody:** (a) and (b). The Eastern Group Supply Council was constituted as a body representative of His Majesty's Government in the United Kingdom, Australia, New Zealand, South Africa, and India with the object of making the fullest possible use of the war supply potential of the Eastern Group Countries.

(c) The Council is not concerned with India only; as explained above it has dealings with and draws upon all the Eastern Group Countries. It has placed very large orders upon India.

(d) and (f). There is no question of the subordination of the interests of one country to those of another. The problem so far has been to obtain supplies in adequate quantities and when capacity for a particular supply item exists in two or more countries, the whole of it is normally used.

(e) The Council has no power to override a decision by a Group Country to establish a new industry or to expand an existing industry on its own account. In every case referred to the Council for the establishment of new factories in India partly or wholly, for the purposes of His Majesty's Government in the United Kingdom, India has received the fullest encouragement and support.

(g) Not directly; the Council has advised on a number of cases in the sense indicated in my reply to part (e) above.

**Mr. Lalchand Navalrai:** Since the Eastern Group Council has been established, have any industries been started with the help of the Group?

**The Honourable Sir H. P. Mody:** That has been covered by the reply already given. It is not for the Group to dictate what industries shall or shall not be established in India. The Government of India take independent action in that matter, but if His Majesty's Government or any other Government want a particular industry to be established in India, the Eastern Group Supply Council's co-operation is sought. That co-operation has always been forthcoming.

**Mr. Lalchand Navalrai:** That is exactly what I want to know. Have Government ever asked for any industries being established here with the help of the Group, or with the help of other countries within the Group, and what has been the result?

**The Honourable Sir H. P. Mody:** Several industries have been established and are in the process of being established like cables, sulphur and other products. If my Honourable friend wants fuller information, I shall want notice of that question.

**Pandit Lakshmi Kanta Maitra:** Will the Honourable Member kindly inform the House as to what is the exact relationship between the Eastern Group Supply Council and the Supply Department of the Government of India. Is there no duplication of activities?

**The Honourable Sir H. P. Mody:** No. The Eastern Group Council places orders on the Supply Department, and the Supply Department executes those orders through the agencies with which it is in touch.

**Pandit Lakshmi Kanta Maitra:** Do I understand that the Supply Department simply carries out certain orders placed with it by the Eastern Group Council?

**The Honourable Sir H. P. Mody:** The Supply Department is merely the agency for the execution of orders placed upon it either by the Defence Services or by the Eastern Group.

**Pandit Lakshmi Kanta Maitra:** May I take it that the Supply Department has not got any initiative of its own? It cannot of itself recommend that any particular industries be established?

**The Honourable Sir H. P. Mody:** The Supply Department has got the initiative in this sense—if there are no sources through which it can execute the requisitions which are placed upon it, then it seeks to establish industries for that specific purpose. The Supply Department has got a planning section for that very purpose.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if the other countries which are within the Group have supplied any materials to India for Indian defence only?

**The Honourable Sir H. P. Mody:** Of course. That is the basis of the whole Supply Group Council's existence. The Council receives orders from various quarters and then it allocates them between the various countries according as the supplies are available and to that extent, whenever India requires supplies from other countries, they are obtained.

**Mr. Lalchand Navalrai:** May I know if India has applied for them and got them?

**The Honourable Sir H. P. Mody:** In the matter of food-stuffs, woollen textiles and so on, we are all the time approaching other Dominion Governments for supplies.

**Pandit Lakshmi Kanta Maitra:** May I ask whether the Eastern Group Supply Council is under the control and supervision of the Honourable Member's Department?

**The Honourable Sir H. P. Mody:** No, Sir.

**Pandit Lakshmi Kanta Maitra:** In that case, who exercises the jurisdiction of superintendence over this Council?

**The Honourable Sir H. P. Mody:** The various Governments' representatives sit on the Council. If anybody has any supervision over the Council, I do not know whether he can be said to be exercising any control.

**Pandit Lakshmi Kanta Maitra:** I am asking as a matter of information. I want to know whether the Government of India as such have got any control over this Council.

**The Honourable Sir H. P. Mody:** They have none. It is not a Department of the Government of India.

**Pandit Lakshmi Kanta Maitra:** Is it not financed by the Government of India?

**The Honourable Sir H. P. Mody:** No.

**Pandit Lakshmi Kanta Maitra:** Do the Government of India share any portion of the administration of this Department?

**The Honourable Sir H. P. Mody:** Only to the extent of its representation on the Council. India has no further responsibility for the Council or its activities.

**Pandit Lakshmi Kanta Maitra:** I am asking whether any financial obligation on the part of the Government of India is involved in it and whether the Government of India pays for a part of the establishment of the Council, and so on?

**The Honourable Sir H. P. Mody:** India pays for the Indian Representative and his staff and makes a contribution to the joint expenditure. The joint expenditure is as follows: Fifty per cent. is paid by His Majesty's Government and the balance by India and the Governments of Australia, New Zealand and South Africa.

**Maulvi Abdur Rasheed Chaudhury:** With reference to part (d) of the question, may I ask whether the Eastern Group Supply Council is trying to establish automobile industry in this country?

**The Honourable Sir H. P. Mody:** They are not.

**Mr. Husenbhai Abdullabhai Laljee:** May I ask whether the indents that we received from the Eastern Group Supply Council are with regard to the civil requirements as well as war requirements?

**The Honourable Sir H. P. Mody:** With regard to war requirements only.

#### REPRESENTATION OF MINORITIES IN STATE-MANAGED RAILWAY SERVICES.

4. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether recommendation No. (iii) in paragraph 182 of Mr. DeSouza's Report on representation of minorities in State-managed Railway services, regarding the officer who is directly subordinate to the other officers on the Selection Board, not being allowed to sit in the Selection Board, has been accepted?

(b) If the reply to part (a) above be in the affirmative, will he please lay a copy of the orders on the table of the House? If not, why not?

(c) Is it proposed to abolish the system of the Assistant Officers being on the Selection Boards for recruitment to subordinate service, unless such an officer enjoys the status of a Divisional or senior scale officer? If not, why not?

(d) Is it a fact that the DeSouza Report recommends setting up of a Railway Services Commission? Has the recommendation been accepted? If so, what arrangements have been made to put this recommendation in effect?

(e) If the recommendation has not been accepted, what are the reasons for its non-acceptance?

(f) Has the Honourable Member's attention been drawn to the observations made in Chapter VIII of the Report regarding recruitment to subordinate railway services through Selection Boards and state whether competitive examinations are likely to be introduced for such recruitment? If not, why not?

**The Honourable Sir Andrew Clow:** (a) to (f). The D'Souza Report is still under the consideration of Government, who propose to consult the Central Advisory Council for Railways. No decision has, therefore, been taken on any of the main recommendations in the Report.

**Sardar Sant Singh:** Do Government propose to allot some day during this Session to discuss the recommendations contained in the report of the D'Souza Committee?

**The Honourable Sir Andrew Clow:** We propose to consult the Central Advisory Council for Railways which will meet this Session.

**Sardar Sant Singh:** I want to know whether Government propose to allot a day for the Members of the House to discuss that report?

**The Honourable Sir Andrew Clow:** There are Members of this House who are on the Central Advisory Council.

**Lieut.-Colonel Sir Henry Gidney:** The Honourable Member's reply has been very unsatisfactory as far as I am concerned. Will the Honourable Member tell us what is the use of consulting the Central Advisory Council when this House is sitting which is representative of the people of India? I would like to know whether the Honourable Member is prepared to allot a particular day to tell this House how this matter is to be settled or is being settled without waiting for the views of the Central Advisory Council?

**The Honourable Sir Andrew Clow:** No, Sir. As you will remember, Sir, there was some discussion on this question at the end of the last Session as a result of which it was ascertained that the House would not agree as to its discussion on the floor of the House, and I agreed that the matter should be referred to the Central Advisory Council. It came up before that Council at its last meeting when they asked for further time. I, therefore, propose to bring it up again at the next meeting of that Council.

**Pandit Lakshmi Kanta Maitra:** Last time this report could not be considered because the matter was brought at a time when there was not much time left for its consideration by this House, and not that the House refused to devote any time to it.

**The Honourable Sir Andrew Clow:** So far as I recollect, that was not the reason.

#### INSUFFICIENT RECRUITMENT OF SINDHIS TO THE SUBORDINATE SERVICES— ON NORTH WESTERN RAILWAY.

5. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that complaints are made by Sind people that a large number of subordinate service posts are given to non-Sindhies even on that part of the railway which serves the Province of Sind?

(b) Is it a fact that representations to this effect were made by the Sind Government to the Railway Board? If so, how has the same been disposed of?

(c) Will the Honourable Member be pleased to state how many Sindhis out of all the candidates taken by the North Western Railway were recruited in each of the years 1938 to 1941 and in which categories?

(d) How many posts will fall to the lot of Sindhis by recruitment on the proportional basis of earning of each division of the North Western Railway and on the territorial basis?

(e) Do Government propose to appoint a committee of some officers to adopt some equitable methods of adjusting the just and equitable proportion of appointments to Sindhis—both Hindus and Muhammadans? If not, how do Government propose to remove their grievance against the selection system?

**The Honourable Sir Andrew Clow:** (a) Some complaints of the nature referred to by the Honourable Member have been made.

(b) The answer to the first part is in the affirmative; as regards the second part, the Sind Government has been furnished with the considered views of the Central Government.

(c) Government have no information as statistics are not maintained on a territorial basis.

(d) It is not proposed to adopt the bases suggested.

(e) As regards the first part, the reply is in the negative. As regards the second, Government see no necessity to alter the existing system under which Sindhis have the same opportunities of obtaining employment on the North Western Railway as those of other Provinces.

**Mr. Lalchand Navalrai:** Will the Honourable Member make inquiries and find out whether Sindhis get their proper share in the recruitment as these complaints are being made for a long time now?

**The Honourable Sir Andrew Clow:** I do not think they get the same proportionate representation, because they do not produce the same number of qualified candidates.

**Mr. Lalchand Navalrai:** Is there any way out of it, so that they may get a fair chance of getting their due?

**The Honourable Sir Andrew Clow:** They get their fair chance.

**Mr. Lalchand Navalrai:** I would like to know what reply has been given to the Sind Government?

**The Honourable Sir Andrew Clow:** I do not think I would be prepared to put the reply on the table without prior consultation with the Sind Government.

**Mr. Lalchand Navalrai:** The Honourable Member might say whether any hope has been given or whether they will be left in the lurch?

**The Honourable Sir Andrew Olow:** The prospect of Sindhis securing more appointments must depend on Sind producing more candidates of the right stamp.

**Mr. Lalchand Navalrai:** Is there any dearth of candidates?

**The Honourable Sir Andrew Olow:** There is a very great dearth of candidates, particularly among the Muslims, and the effect of adopting the Honourable Member's suggestion would undoubtedly be to take away a large number of places reserved for the Muslims and give them to members of other communities.

**Mr. Lalchand Navalrai:** Will the Honourable Member make inquiries in the matter? There are many Muhammadans in Sind who have passed the Matriculation Examination and who have been applying for higher appointments. It is on account of this double selection that they are not selected.

**The Honourable Sir Andrew Olow:** It is not for that reason.

#### RAILWAY COLLISION AT KHAIRPUR MIR RAILWAY STATION ON SIND SECTION OF NORTH WESTERN RAILWAY.

6. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable the Railway Member be pleased to state if his attention has been drawn to the report of the Senior Government Inspector of Railways, Circle No. 4, Lahore, on the collision between train No. 191, up passenger and No. 528 down goods at Khairpur Mir station on Sind section of the North Western Railway? If so, how was the case finally decided by Government, and who were made responsible for the collision and what punishment was awarded to them, if any?

(b) Is it a fact that the Senior Government Inspector found that the head-light of No. 528, goods train and also the lights of the signal had been put out before sunrise which contributed to the collision?

(c) Is it a fact that the Government Resolutions directed the putting off of the aforesaid lights after sunrise, but the railway administration allowed the contrary practice of extinguishing the lights?

(d) Who was principally responsible for such a practice to continue, and had any action been taken by Government against the administration for not preventing such a practice?

(e) Has the aforesaid Senior Inspector been of opinion that the aforesaid practice was a mitigating circumstance in the case of the station master and the driver? If so, have they been given the benefit of the doubt, and what steps have Government taken for safety in future?

**The Honourable Sir Andrew Olow:** (a) I have read the report. The driver of the goods train was held responsible but I do not know the nature of punishment inflicted by the competent authority, who is, the Divisional Superintendent, Karachi.

(b) I would refer the Honourable Member to paragraph 16 of the report by the Government Inspector, published by the Railway Board in Half-yearly Accident Report No. 29, a copy of which is in the Library of the House.

(c) In reply to the first portion of the question, I would refer the Honourable Member to rule 45, parts (a) to (d) of General Rules for all open lines of Railways in British India, a copy of which is in the Library of the House. The reply to the second portion of the question is in the negative.

(d) Does not arise.

(e) In reply to the first part of the question, I would again refer the Honourable Member to paragraph 16 of the Government Inspector's report. I am informed that in view of the conflicting evidence as to whether signal lights were or were not burning at the time, the Administration gave the Assistant Station Master the benefit of the doubt. The North Western Railway have been asked to remind all staff of the necessity for the strict observance of General Rules for all open lines of Railways in British India, relating to the lighting of signals.

**Mr. Lalchand Navalrai:** With regard to part (c), may I ask why the Administration was allowed to have a practice which was absolutely contrary to the Resolution?

**The Honourable Sir Andrew Olow:** I do not think it is a fact that the Administration had a practice which was contrary to the Resolution.

**Mr. Lalchand Navalrai:** Was there any practice that they were shutting out the lights not only during the day, but also at night time?

**The Honourable Sir Andrew Olow:** I do not think there was any such practice on this line.

**Mr. Lalchand Navalrai:** Has the Honourable Member read the Inspector's report to which we are referring and where it is laid down that there was a practice to that effect?

**The Honourable Sir Andrew Olow:** I have possibly read the report as carefully as the Honourable Member; and I think the Government Inspector in the paragraph which the Honourable Member has in mind was thinking not of this line at all, but of other lines.

**Mr. Lalchand Navalrai:** Any other line also may be in danger. It is all the same. Therefore, I am asking what are the orders now? To go by the Resolution or to go by the practice?

**The Honourable Sir Andrew Olow:** The orders are those contained in the rules to which I referred the Honourable Member.

**Mr. Lalchand Navalrai:** May I know the rules so that I may put supplementary questions?

**The Honourable Sir Andrew Olow:** It is in the Library of the House.

#### CONTINUATION OF SUBSIDIES TO THE IMPERIAL AIRWAYS, THE NATIONAL AIRWAYS AND THE P. AND O. COMPANY.

**7. \*Mr. Govind V. Deshmukh:** Will the Honourable Member for Communications please state if Government are going to continue even-



now the same amount of subsidies to the Imperial Airways, the National Airways and the P. and O. Company?

**The Honourable Sir Andrew Clow:** The Government of India give no subsidy to "Imperial Airways" but possibly the Honourable Member has in mind the contributions they make to His Majesty's Government towards the cost of operation of the Empire Air Services. The question of revising these contributions is under correspondence with His Majesty's Government.

As regards Indian National Airways, a token cut of Rs. 1,000 has been made in the amount payable to the Company under the agreement for the operation of the Karachi-Lahore air mail service, but in lieu of the reduced mail services on the Karachi-Lahore route, the Company are now operating two air mail services a week between Lahore and Delhi and two passenger services a week between Delhi and Calcutta.

The Government of India give no subsidy to the P. and O. Company. That Company is under contract with the British Post Office and payments for despatch of mails from India by the Company's services is made by the Indian Postal Administration to the British Post Office with whom the question of reduction in payment for the use of the Company's services is now under correspondence.

**Mr. Govind V. Deshmukh:** What was the amount of contribution that was being made, and on what lines are the proposals which are now being made?

**The Honourable Sir Andrew Clow:** I cannot answer the question of the amount of contributions made without notice. I think the figures were placed on the table of the House on some previous occasion.

**Mr. Govind V. Deshmukh:** Will the Honourable Member lay on the table of the House a copy of the correspondence with regard to this?

**The Honourable Sir Andrew Clow:** I am not prepared to disclose that.

**Pandit Lakshmi Kanta Maitra:** Is it not a fact that the P. and O. have been receiving a sum of fifteen lakhs of rupees as subsidy from the Government of India for the carriage of mails? May I know if any reduction has been made in that amount during the last two years since the outbreak of the war?

**The Honourable Sir Andrew Clow:** The Government of India give no subsidy to P. and O.

**Pandit Lakshmi Kanta Maitra:** You may call it a contribution or by any other name. I am not quarrelling about the words. I am asking the Honourable Member if it is not a fact that the Government of India have been paying a sum of fifteen lakhs a year to the P. and O. for carriage of mails?

**The Honourable Sir Andrew Clow:** The Government of India do not pay any subsidy or contribution to P. and O. They make a contribution to the British Post Office and I understand it is nothing like as much as the figure which the Honourable Member gives.

**Mr. Lalchand Navalrai:** May I know if the Imperial Airways are giving the same service or reduced service now?

**The Honourable Sir Andrew Clow:** "Imperial Airways" is not in existence now.

**Mr. Govind V. Deshmukh:** What was the nature and the extent of the services rendered by the different companies before the war and after the war?

**The Honourable Sir Andrew Clow:** I cannot give accurate details of the number of services without notice. As far as I remember before the outbreak of the war, five air mails were coming to India weekly across the Mediterranean.

**Pandit Lakshmi Kanta Maitra:** Is the Honourable Member prepared to contradict me if I say that fifteen lakhs is paid by the Government of India in that respect?

**The Honourable Sir Andrew Clow:** A great expert sitting behind me...

**Mr. Govind V. Deshmukh:** He is no longer a postal expert, he is a military expert.

**The Honourable Sir Andrew Clow:** He is an expert and he places it in the order of £20,000 to £30,000 a year.

**Pandit Lakshmi Kanta Maitra:** May I take it that since the outbreak of war, the same payment is being continued, though the mails have been very irregular?

**The Honourable Sir Andrew Clow:** The matter is under negotiation. But I would also point out that the difficulties in carrying mails have been greatly enhanced.

**Pandit Lakshmi Kanta Maitra:** Is it a fact that the Indian Chamber of Commerce, Calcutta, addressed a communication to the Honourable Member's department drawing attention to this fact that the mails have been coming very irregularly in these days and that the contribution of the Government of India on the old scale is untenable and that it should be reduced?

**The Honourable Sir Andrew Clow:** Certainly I am aware of their opinion.

**Mr. Govind V. Deshmukh:** Is the point then under consideration?

**The Honourable Sir Andrew Clow:** I have given a reply to the Honourable Member's question quite categorically.

#### INDIAN MEMBERS ON PORT TRUSTS IN INDIA.

†8. **\*Shaukh Rafiuddin Ahmad Siddique:** (a) Will the Honourable Member for Communications be pleased to state whether it is a fact that the number of the Indian members in the Chittagong Port Trust is one-third of the European members?

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

(b) Is it a fact that the Government of India have already taken steps to provide for a majority of Indians in the Madras Port Trust?

(c) Is it a fact that there is great demand in all sections of Indians for a majority of Indian members in all Port Trusts in India?

(d) If so, are Government prepared to provide for a majority of Indian members in the Chittagong and Calcutta Port Trusts by necessary modification of the Chittagong Port Act and the Calcutta Port Act? If not, why not?

**The Honourable Sir Andrew Clow:** (a) No. There are at present four Indian and eight European Commissioners.

(b) I would refer the Honourable Member to the Madras Port Trust (Amendment) Bill which was introduced in this House on the 26th February last.

(c) Representations to this effect have been received from time to time from the Federation of Indian Chambers of Commerce and Industry and other Indian commercial bodies.

(d) The answer is in the negative. Government have no reason for believing that a redistribution of seats in the manner suggested by the Honourable Member would result in more equitable representation of those concerned in the trade of the ports.

#### DISPOSAL OF PETITIONS, NOT BEING APPEALS, TO HIGHER AUTHORITIES THAN DIVISIONAL SUPERINTENDENTS ON RAILWAYS.

†9. **Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 409 asked in this House on the 20th March, 1936, viz., "All appeals and petitions to the authorities higher than the Divisional Superintendent are forwarded to the authorities concerned if such appeals lie to them," and state the difference between an appeal and a petition?

(b) Are petitions not forwarded, if an appeal does not lie?

(c) Is forwarding of a petition conditional to the laying of an appeal? If so, under which statute or regulation?

(d) What is the procedure regarding disposal of petitions to authorities higher than the Divisional Superintendent when they are not petitions of appeals?

**The Honourable Sir Andrew Clow:** (a) A petition is a communication addressed to the Governor General in Council and is defined in Rule 1(2) of Appendix XV to the State Railway Establishment Code, Vol. I, a copy of which is in the Library of the House. An appeal is a communication submitted in accordance with paragraphs 1717 and 1731 of the same Code.

(b) They can be and are withheld in a number of such cases.

(c) I am not entirely clear as to the information desired by the Honourable Member. It is not necessary to present a separate petition in order to have an appeal considered, but the appeal itself has to be made in writing.

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

(d) If a petition addressed to the Governor General in Council through the proper channel is not withheld by any lower authority empowered to do so in terms of the rules prescribed therefor, it is submitted to the appropriate authority which after consideration passes the order it thinks fit.

#### AUTHORITY FOR FRAMING OF RAILWAY RULES IN RESPECT OF CERTAIN MATTERS.

†10. **\*Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the reply given to starred questions Nos. 1058 and 1059 asked in this House on the 10th October, 1936, viz.: "The rules relating to the other matters referred to in these two questions are not framed under the enabling provisions of the Indian Railways Act," and state the particulars of the statutes or ordinances under which rules relating to the other matters referred to in those two questions are framed?

**The Honourable Sir Andrew Clow:** The statutory provision authorizing the framing of rules of this character is section 241(2) of the Government of India Act, 1935.

#### EXAMINATION IN TELEGRAPHY HELD AT THE EAST INDIAN RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI, IN 1941.

†11. **\*Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please state whether it is a fact that an examination in Telegraphy was held at the East Indian Railway School of Transportation, Chandausi, on the 12th and 13th August, 1941?

(b) Is it a fact that the persons who failed in that examination were never re-examined thereafter?

(c) Is it a fact that some of them were re-examined on the 14th August, 1941? If so, who were they, and what were the reasons for re-examining a few and not all those who failed?

(d) Is it a fact that a fee was paid for the re-examination? If so, what was the total amount credited to the Railway revenues on this account? If none, why not?

**The Honourable Sir Andrew Clow:** I have called for information and a reply will be laid on the table of the House in due course.

#### UNSTARRED QUESTIONS AND ANSWERS.

##### PROPOSAL FOR THE INTRODUCTION OF THE MESSAGE RATE SYSTEM IN CERTAIN TELEPHONE EXCHANGES IN INDIA.

1. **Mr. Lalchand Navalrai:** (a) Will the Honourable the Communications Member be pleased to state if it is the intention of Government to introduce the message rate system in certain telephone exchanges in India? If so, in which exchanges is it proposed to do so?

(b) If the answer to part (a) be in the affirmative, will the Honourable Member be pleased to state how much profit, over and above the income yield under the present system, Government expect to get and what are the reasons for the change?

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

(c) Has the Director General of Posts and Telegraphs received a communication from the Committee of the Indian Chamber of Commerce, Calcutta, against the introduction of the new system as an enormous burden on the existing subscribers, affecting the commercial community specially small traders who would not be able to bear the burden? If so, what reply has been sent to them?

(d) What do Government propose to do in the matter to relieve the hardship that is likely to be caused on the introduction of message rate system?

**The Honourable Sir Andrew Clow:** (a) Yes, in Amritsar, Jullundur, Dehra Dun, Cawnpore and Poona.

(b) The Message Rate System is not designed primarily to secure an increase of revenue and no accurate estimate of the extra revenue that may accrue is possible. The main reason for its introduction is that it is considered to be more equitable than the Flat Rate System to Telephone users as a whole, and to be more advantageous to the small user.

(c) Yes, on the 21st October last. A copy of a note explaining the implications of the Message Rate System has been forwarded to them in reply.

(d) Government do not agree that the introduction of the Message Rate System will result in hardship. The small user will benefit while the large user will pay according to the use he makes of the service.

**PREFERENCE TO MEMBERS OF THE MINORITY COMMUNITIES IN THE MATTER OF TRAINING FOR HIGHER APPOINTMENTS ON RAILWAYS.**

**2. Mr. Lalchand Navalrai:** (a) With reference to the Honourable the Railway Member's reply to part (d) of my unstarred question No. 220, asked on the 28th March, 1941, in regard to giving preference to the members of the minority communities in the matter of training for higher appointments, will he please state the result of the reconsideration of the question?

(b) Why was this discrimination introduced in the matter of training, and what action does the Honourable Member propose to take to see that instructions which offend against the Government of India Resolution for 4th July, 1934, on the subject of minority communities, are not allowed to be issued? If not, why not?

**The Honourable Sir Andrew Clow:** (a) It has been decided to defer the issue of any orders until conclusions have been reached on Mr. D'Souza's report.

(b) The orders were the result of an interpretation placed by the North Western Railway on the orders issued by the Railway Board on the relevant recommendations in Mr. Hassan's report. As I have stated, the question of issuing fresh orders will be considered in connection with the consideration of Mr. D'Souza's report.

**CERTAIN BOOK PUBLISHED BY RAI SAHIB LAKSHMAN PRASAD, SUPERINTENDENT, RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.**

**3. Mr. Muhammad Azhar Ali:** Does the Honourable Member for Railways propose to place in the Library of the House the book published by Rai Sahib Lakshman Prasad, Superintendent, Railway School of Transportation, Chandausi, East Indian Railway, the proof copies of which can

be had on Rs. 2/8/- from Messrs. Bhargava and Company, Chandausi, and will the Honourable Member state the reasons for the said Superintendent prescribing the said book for the course in addition to the syllabus?

**The Honourable Sir Andrew Clow:** The reply to the first part is in the negative. As regards the second part information is being obtained and a further reply will be laid on the table of the House.

**RAILWAYS AFFORDING OPPORTUNITY FOR AN EXPLANATION TO ITS EMPLOYEES BEFORE ADVERSE REPORTS ARE RECORDED AGAINST THEM.**

**4. Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 189, asked in this House on the 14th November, 1932, viz.: "on some railways the general practice is to give the railway employees concerned an opportunity of giving an explanation before adverse reports are recorded" and state the particulars of the 'some railways' where the practice is observed?

**The Honourable Sir Andrew Clow:** Government have now no information of the particular railways which were intended to be covered by the statement quoted by the Honourable Member as the papers connected therewith have since been destroyed. The present practice in this matter on State-managed Railways is, however, regulated by the rules in Section II of Chapter XVI of the State Railway Establishment Code, Volume I, a copy of which is in the Library of the House.

**AUTHORITY FOR DEPRIVING A RAILWAY EMPLOYEE OF THE RIGHT OF APPEAL AGAINST ADVERSE REMARKS IN CHARACTER ROLL.**

**5. Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the reply given to starred question No. 1250, asked in this House on the 15th October, 1936, viz.: "No appeal ordinarily lies against such remarks", and state the particulars of the provisions of the Government of India Act, or of the Indian Railways Act, or of Rules made thereunder which deprive an employee of the right of appeal against such remarks?

**The Honourable Sir Andrew Clow:** Confidential Reports on railway servants and the rules regulating these are not prescribed by any statute; the current rules have been framed by the Governor General in Council in virtue of the powers granted to him under section 241 (2) of the Government of India Act, 1935. It is not considered necessary to provide for a right of appeal against remarks made in a Confidential Report. As there are no rules creating a right of appeal, it is not necessary to frame rules depriving employees of such a right.

**RAILWAYS ENFORCING AN INTERVENING RELIEVING DUTY PERIOD ON QUALIFIED ASSISTANT STATION MASTERS PROMOTED AS STATION MASTERS BEFORE THEIR PERMANENT POSTINGS.**

**6. Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 355, asked in this House on the 13th March, 1936, viz.: "It is the general policy of the North Western Railway Administration to post Assistant Station Masters qualified in Station Master's duties on promotion to

Station Master to work on relieving duties before they are posted permanently", and state:

- (a) whether 'the general policy' is also in force on the Eastern Bengal, the East Indian and the Great Indian Peninsula Railways;
- (b) if the reply to part (a) be in the negative, the reasons therefor; and
- (c) the particulars of the provisions of the Government of India Act, or of the Indian Railways Act, or of the Rules made thereunder, which vest in a Railway Administration the power of formulating the policy of the administration of the railway under the administrative control of the Governor General in Council?

**The Honourable Sir Andrew Clow:** (a) It is in force on the Eastern Bengal and Great Indian Peninsula Railways. Information concerning the East Indian Railway is being obtained and will be laid subsequently on the table of the House.

(b) Does not arise.

(c) The posting of officers of this grade has always been a matter for the railway administration. The rule at present in force is in paragraph 156 of the State Railway Establishment Code, and is made in virtue of the powers granted by sub-section (2) of section 241 of the Government of India Act, 1935.

#### AMOUNT OF THE PERMANENT TRAVELLING ALLOWANCE ADMISSIBLE TO CERTAIN RAILWAY EMPLOYEES.

**7. Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 449, asked in this House on the 23rd March, 1936, viz.: "The principle on which a permanent travelling allowance is fixed is that the amount sanctioned should not exceed the average amount which would be drawn during the year under the ordinary travelling allowance rules" and state the amount of the permanent travelling allowance admissible to employees entitled to draw annas 8, annas 10, annas 12, rupee one, Rs. 1-4-0 and Rs. 1-8-0 per day, respectively, for a working period of 26 days in a month under the ordinary travelling allowance rules?

**The Honourable Sir Andrew Clow:** Government have not laid down rates of permanent travelling allowance on the basis of daily allowance rates, as permanent travelling allowances have to take into account not merely the daily allowance appropriate to the employee but also the amount of travelling he has to do.

#### NOTIFICATION SPECIFYING THE MILEAGE ALLOWANCE TO BE TREATED AS PAY.

**8. Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the reply given to unstarred question No. 502, asked in this House on the 7th April, 1936, viz.: "mileage allowance is treated as pay" and state the particulars of the notification in the *Gazette*?

of India specifying the mileage allowance to be treated as pay within the provisions of Fundamental Rule 9 (21) (a) (iii)? If no such notification has been issued, what are the reasons therefor?

**The Honourable Sir Andrew Clow:** The statement quoted does not appear in the reply to which the Honourable Member referred and mileage allowance has not been classed as pay for all purposes in terms of Fundamental Rule 9 (21) (a) (iii). It is so treated for specific purposes, such as leave salary, provident fund, gratuity, etc., and that to a limited extent. Necessary provision exists in the Railway Codes. Rules other than statutory rules and rules which are issued in the form of Codes are not notified in the Gazette of India.

**STATUTORY RULE OR NOTIFICATION CLASSIFYING NON-GAZETTED  
SERVICES ON CERTAIN RAILWAYS.**

**9. Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please state the particulars of the Statutory Rule or the notification in the *Gazette of India* under which the staff on the State-managed Railways is classified as Superior, Inferior, Labourer or Menial in the Non-Gazetted Services on the Assam Bengal, Bombay, Baroda and Central India, Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways?

**The Honourable Sir Andrew Clow:** The term "Inferior Staff" is defined in paragraph 101 (9-A) of the State Railway Establishment Code, Volume I; "Superior Staff" is defined in paragraph 2202 (15) of the State Railway Establishment Code, Volume II; copies of both these volumes are in the Library of the House. There is no definition of "labourers" and the term "menials" is not now in use. These rules apply only to State-managed Railways. Staff of Company-managed Railways are not Government servants and are not covered by Statutory Rules.

**STATUTORY RULE MAKING CERTAIN PROMOTIONS ON EAST INDIAN RAIL-  
WAY DEPENDENT ON THE PASSING OF THE SENIOR ASSISTANT STATION  
MASTERS' REFRESHER COURSE AT THE RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.**

**10. Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please state the particulars of the Statutory Rule or otherwise under which the promotions of Assistant Station Masters (Higher Grade), Assistant Yard Foremen or Masters and Deputy Controllers are subject to the passing of the Senior Assistant Station Masters' Refresher Course at the Railway School of Transportation, Chandausi, on the East Indian Railway, and lay on the table a copy of the syllabus of the said Course along with the references of the pages of the School Calendars for the years 1938, 1939, 1940 and 1941 on which those syllabuses are traceable and to place those Calendars in the Library of the House? If not, why not?

**The Honourable Sir Andrew Clow:** The General Managers of State Railways are empowered to make rules concerning non-gazetted staff.

The syllabus for the Assistant Station Masters Refresher Course is at pages 37 and 38 of the Calendar of the Railway School of Transportation, Chandausi, for the year 1938. Similar information will be found at pages 10 to 12 of the Calendar of the School for 1941. Copies of both Calendars



have been placed in the Library of the House. Government have no information regarding the years 1939 and 1940.

**MONTHLY AMOUNTS PAID TO THE CATERING CONTRACTORS, MESSRS. HAZIR AND COMPANY, BY THE EAST INDIAN RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.**

**11. Pandit Lakshmi Kanta Maitra:** Will the Honourable Member for Railways please state the amount paid per month during the years 1938, 1939, 1940 and up to date to the Catering Contractors, Messrs. Hazir and Company, who supply (i) European meals, Muhammadan meals, (ii) non-vegetarian Hindu meals, and (iii) vegetarian Hindu meals at Rs. 3 and Rs. 1-12-0 per day and Rs. 15 per month per head, respectively, by the East Indian Railway School of Transportation, Chandausi?

**The Honourable Sir Andrew Clow:** I have called for the information and will lay a reply on the table of the House in due course.

**APPOINTMENT OF A MUSLIM CATERING CONTRACTOR FOR HINDU STUDENTS AT THE EAST INDIAN RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.**

**12. Pandit Lakshmi Kanta Maitra:** Will the Honourable Member for Railways please state:

- (a) the percentage of students of each community in each course held at the East Indian Railway School of Transportation, Chandausi, during the calendar years 1938, 1939, 1940 and up to September of 1941;
- (b) the reasons for prescribing catering for the Hindus who form the majority of students in the School, by a Muhammadan contractor;
- (c) whether it is a fact that the Muhammadan contractor more than once served the Hindus with beef in the School mess; and
- (d) the date of the appointment of the Muhammadan contractor, and if the appointment was made after advertising in the Press; and if not, the reasons therefor?

**The Honourable Sir Andrew Clow:** (a) The Administration is being asked to supply such figures as are readily available and these will be furnished in due course.

(b), (c) and (d). Inquiries are being made and a reply will be laid on the table in due course.

**MESSING RATE FOR PROBATIONARY ASSISTANT STATION MASTERS AND COMMERCIAL CLERKS AT THE EAST INDIAN RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.**

**13. Pandit Lakshmi Kanta Maitra:** Will the Honourable Member for Railways please refer to item No. 27 on page 17 of the East Indian Railway School of Transportation, Chandausi, Calendar 1941, viz.: "Probationary Assistant Station Masters and Probationary Commercial Clerks shall mess in the Junior Mess and pay at the rate of Rs. 15 per head per mensem on the pay day, to Messrs. Hazir and Company, the Catering Contractors" and state how the rate of Rs. 15 per mensem per head was arrived at and what is the prevailing market rate?

**The Honourable Sir Andrew Clow:** Information is being obtained and a reply will be laid on the table in due course.

**REPORTS AGAINST BAD ARTICLES OF FOOD SERVED BY MESSRS. HAZIR AND COMPANY, CATERING CONTRACTORS, EAST INDIAN RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.**

**14. Pandit Lakshmi Kanta Maitra:** Will the Honourable Member for Railways please state:

- (a) if it is a fact that articles of food used by Messrs. Hazir and Company, Catering Contractors, East Indian Railway School of Transportation, Chandausi, during 1938, 1939, 1940 and up to September, 1941, have been reported on by the Railway Analyst as unfit for human consumption;
- (b) if the reply to part (a) be in the affirmative, the nature of the action taken against the Contractor, and if no action has been taken, the reasons therefor;
- (c) if the reply to part (a) be in the negative, whether he will lay on the table of the House the reports from the Analyst for those years; if not, why not; and
- (d) the reasons for not terminating the contract of Messrs. Hazir and Company for repeated bad service and repeated supply of articles declared unfit for human consumption by the Chief Medical Officer, East Indian Railway, during those years?

**The Honourable Sir Andrew Glow:** (a), (b) and (d). Information has been called for and a reply will be laid on the table in due course.

(c) This has not yet arisen and I cannot, without seeing the reports, give an undertaking to lay them on the table.

**RATES FOR ARTICLES OF FOOD AT THE EAST INDIAN RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.**

**15. Pandit Lakshmi Kanta Maitra:** Will the Honourable Member for Railways please refer to pages 22 and 23 of the East Indian Railway School of Transportation, Chandausi, Calendar 1941, and state the cost per article of food supplied in meals per day and how the rates of Rs. 3 and Rs. 1-12, respectively, have been arrived at?

**The Honourable Sir Andrew Glow:** I regret that I cannot undertake to compute the cost of each article in the dietary as the menu is not constant and prices vary. But I am making inquiries regarding the basis of the rates mentioned and a reply will be laid on the table in due course.

**STATIONS ON CERTAIN RAILWAYS WHERE REFRESHMENT ROOMS OF MUSLIMS ARE CATERED BY HINDU CONTRACTORS.**

**16. Pandit Lakshmi Kanta Maitra:** Will the Honourable Member for Railways please state the names of the stations where the Refreshment Rooms of Muhammadans are catered by Hindu contractors on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways?

**The Honourable Sir Andrew Clow:** Eastern Bengal and North Western Railways—Nil.

East Indian Railway—Burdwan.

Information relating to the Great Indian Peninsula Railway will be laid on the table of the House in due course.

### STATEMENTS LAID ON THE TABLE.

*Information promised in reply to parts a (iii), (iv) and (v) of starred question No. 93 asked by Sardar Sant Singh on the 16th November, 1940.*

OFFICERS AND MINISTERIAL STAFF OF THE DEPARTMENT OF COMMUNICATIONS AND ITS ATTACHED AND SUBORDINATE OFFICES WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

[NOTE:—These parts were withdrawn by the questioner with the permission of the Honourable the President, and consequently the information promised was not laid on the table.—*Ed. of D.*]

*Information promised in reply to starred question No. 22 asked by Dr. Sir Ziauddin Ahmad on the 7th February, 1940.*

### PROCEEDINGS OF THE LABOUR CONFERENCE AND THE PRICE CONTROL CONFERENCE.

*Statement showing conclusions reached at the Second Price Control Conference held at New Delhi on the 24th and 25th January 1940, and the Decisions of the Government of India on them.*

Conclusions arrived at the Second Price Control Conference.

Decisions of the Government of India on the conclusions arrived at the Second Price Control Conference.

#### Conclusion 1.

"If and when price control schemes on any large scale are contemplated for any Province or State, it is desirable to have a Chief authority for Price Control to co-ordinate activities within the Province or the State concerned; it is further desirable to associate Advisory Committees with the Authority for Price Control, the Advisory Committees being composed not only of officials but of representatives of various interests concerned with the question of price control."

Accepted and communicated to all Provincial Governments and Chief Commissioners.

#### Conclusion 2.

"Having due regard to the limitations on the Provincial Governments under the powers delegated to them by the Government of India, specific powers may be delegated by them to the District Officers; other powers to deal with any situation that may arise being exercised by the District Officers only after reference to Governments concerned."

Accepted and communicated to all Provincial Governments and Chief Commissioners.

Conclusions arrived at the Second Price Control Conference.

Decisions of the Government of India on the conclusions arrived at the Second Price Control Conference.

*Conclusion 3.*

"That a basic list of commodities subject to Price Control be prepared and published by the Government of India in delegating powers to the Provincial Governments under rule 81 of the Defence of India Rules; that if any Province desired to make additions to this basic list it should make proposals to that effect to the Central Government."

Accepted. A copy of Commerce Department Notifications No. 501-Ind. War (11)/40, dated the 25th May 1940 and dated the 21st January 1941 on the subject is enclosed.

*Conclusion 4.*

"A Memorandum setting forth in some detail the implications of the recent movement in prices of primary commodities be prepared by the Economic Adviser to the Government of India and circulated to the Provincial Governments and States."

"A Memorandum prepared by the Economic Adviser in pursuance of this recommendation was considered at a meeting of the Economic Resources Board, and it was decided, on its advice, that it may not be circulated to Provinces and States."

*Conclusion 5.*

"That the control of primary wholesale markets or the regulation of prices in primary wholesale markets, if and when it is desirable, may vest in the Central Government; and that the control of the distributive agencies through the retail markets—which would include local wholesale markets—would vest in the appropriate Provincial and State units. In exercising control of or otherwise regulating, the prices in wholesale markets, the Central Government will consult the Governments of the Provinces and States mainly concerned with the commodity which is to be controlled."

As this conclusion did not fully clarify the position, it was accepted by the Government of India and communicated to the Provincial Governments and Chief Commissioners in the following modified form:—

"That the control of primary wholesale markets or the regulation of prices in primary wholesale markets, as and when it is desirable, should vest in the Central Government, and that the control of the distributive agencies through the retail markets—which would include subordinate local wholesale markets would ordinarily be exercised by the appropriate Provincial and State units. In exercise of the power, Provincial or State units would have due regard to the margins between wholesale and retail prices, the retail price in each case being based on the relevant wholesale price whether the wholesale price is one in a market regulated by the Central Government or not. In respect of commodities for which there existed primary wholesale markets, Provincial control of retail prices must be based upon the prices lawfully charged in those markets. In exercising control of, or otherwise regulating, the prices in wholesale markets the Central Government will consult the Governments of the Provinces and States mainly concerned with the commodity which is to be controlled."

*Conclusion 6.*

"There is no demand from the Provinces that the power to prohibit inter-provincial exports should be delegated to them."

Noted.

**Conclusions arrived at the Second Price Control Conference.**

**Decisions of the Government of India on the conclusions arrived at the Second Price Control Conference.**

*Conclusion 7.*

"A general desire was expressed that the power of requisitioning stocks should be delegated to Provincial Governments. It was stated that the Government of India could not, at this stage, be committed to any positive statement in regard to this conclusion but they would take into consideration the views which had been expressed in the Conference on this subject."

Recommendation made by Conference was accepted. A copy of Commerce Department Notification No. 501-Ind-War (19)/40, dated the 29th June 1940 on the subject is enclosed.

*Conclusion 8.*

"Note was taken of the fact that, primarily to study the operations of futures markets in jute and cotton for the present, the Government of India had decided to appoint two officers as Price Advisory Officers; one for jute with headquarters at Calcutta and the other for cotton with headquarters at Bombay. Their primary duty would be to study the operations of the markets in respect of these commodities, and in particular the futures markets to investigate on the spot the movements of prices in these markets and to keep the Government of India constantly in touch with the activities of such markets. When the Government of India had gained sufficient knowledge through these Price Advisory Officers, if they felt that the stage had come when more direct intervention on the part of the Central Government was needed, any action that they might propose to take would only be taken after consultation with the Provincial Governments concerned."

Noted.

*Conclusion 9.*

"A strong plea was made that the import duty of wheat should not be touched at all. It was stated, on behalf of the Government of India that it was quite impossible to anticipate the decision of the Government of India on this subject but that the Hon'ble the Commerce Member would convey the views expressed to the Government of India who would doubtless consider them very carefully."

Action as promised by the Honourable the Commerce Member has since been taken.

*Conclusion 10.*

"Note was taken of the statements that the position of Chemdyes would be decided very soon and the distribution of the stocks held by them would be carefully considered in the light of the suggestions made; that the question of dyes is an extremely complex one, and that the Government of India were awaiting the suggestions they had asked for from the Provinces and States regarding the method of distribution of available stocks of handloom weavers."

Noted.

## DEPARTMENT OF COMMERCE.

## NOTIFICATIONS.

## PRICE CONTROL.

*New Delhi, the 21st January 1941.*

No. 501-Ind.-War (11)/40.—In exercise of the powers conferred by sub-section (4) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the power conferred on it by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules to provide by order for controlling the prices or rates at which articles or things may be sold or hired, and the power conferred on it by clause (f) of the said sub-rule to provide for any incidental and supplementary matters for which it is expedient to provide for the purposes of an order made under clause (b) thereof, shall, in respect of *kolhus* and boiling pans used in the manufacture of *gur* and *rāb*, be exercisable also by any Provincial Government (including a Chief Commissioner).

A. H. LLOYD,

*Secy. to the Govt. of India.*

No. 501-Ind.-War (11)/40.

Copy forwarded to:—

All Provincial Governments (with 15 spare copies each with the request that the notification may be reproduced in the Provincial Official Gazettes).

All Chief Commissioners (with 15 spare copies with the request that the notification may be produced in the local official Gazettes where such Gazettes are issued).

The Political Department (with 150 spare copies) with the request that a copy of the notification may be communicated to the Governments of the Indian States concerned, and also to the office of His Highness the Chancellor, Chamber of Princes.

All Departments of the Government of India [including the Defence Co-ordination Department (with 10 spare copies) and the Department of Supply] (70 spare copies to Labour Department only).

The Private Secretary to His Excellency the Viceroy; the Military Secretary to His Excellency the Viceroy; Secretary to the Governor General's Executive Council, Secretary to the Governor General (Public).

The Chief Censor (with 20 spare copies).

The Director General of Commercial Intelligence and Statistics, Calcutta.

The Director General, Posts and Telegraphs, New Delhi.

The Indian Trade Agent, Kabul.

His Majesty's Senior Trade Commissioner in India, Calcutta.

His Majesty's Trade Commissioner, Bombay.

The Canadian Government Trade Commissioner in India.

The American Trade Commissioner in India, Calcutta.

The Consul General for Egypt, Royal Consulate General of Egypt, Bombay.

The Federation of Indian Chambers of Commerce and Industry.

The Associated Chambers of Commerce of India.

All other recognised Chambers of Commerce and Associations.

Copy (with 14 spare copies) also forwarded to the Government of Burma, Commerce and Industry Department, to the Chief Secretary to the Government of Ceylon, Colombo, and to the Civil Secretary to the Government of Aden.

By order, etc.,

R. J. PRINGLE,

*Under Secy. to the Govt. of India.*

*Simla, the 29th June 1940.*

*No. 501-Ind.-War (19)/40.*—In exercise of the powers conferred by sub-section (4) of section 2 of the Defence of India Act, 1939 (XXV of 1939), the Central Government is pleased to direct that the power conferred on it by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules to provide by order for prohibiting the withholding from sale, either generally or to specified persons or classes of persons, of articles or things kept for sale, and for requiring articles or things kept for sale to be sold either generally or to specified persons or classes of persons or in specified circumstances, and the power conferred on it by clause (f) of the said sub-rule to provide for any incidental and supplementary matters for which it is expedient to provide for the purposes of an order made under clause (a) thereof, shall be exercisable also by any Provincial Government (including a Chief Commissioner) subject to the following conditions, namely :—

(1) The said powers shall be exercisable only in respect of the articles specified in the Schedule annexed to the notification of the Government of India in the Department of Commerce, No. 501-Ind.-War (11)/40, dated the 25th May 1940.

(2) The said powers shall be exercised in accordance with such general instructions as may be issued from time to time by the Central Government.

A. H. LLOYD,

*Secy. to the Govt. of India.*

No. 501-Ind.-War (19)/40.

Copy forwarded to :—

All Provincial Governments (with 10 spare copies each with the request that the notification may be reproduced in the Provincial Official Gazettes).

All Chief Commissioners (with 5 spare copies with the request that the notification may be produced in the local official Gazettes where such Gazettes are issued).

The Political Department (with 50 spare copies) with the request that a copy of the notification may be communicated to the Governments of the Indian States concerned, and also to the office of His Highness the Chancellor, Chamber of Princes.

All Departments of the Government of India [including the Defence Co-ordination Department (with 5 spare copies) and the Department of Supply].

The Private Secretary to His Excellency the Viceroy; the Military Secretary to His Excellency the Viceroy; Secretary to the Governor General's Executive Council, Secretary to the Governor General (Public).

The Chief Censor (with 10 spare copies).

The Director General of Commercial Intelligence and Statistics, Calcutta.

The Indian Trade Agent, Kabul.

The Federation of Indian Chambers of Commerce and Industry.

The Associated Chambers of Commerce of India.

All other recognised Chambers of Commerce and Associations.

Copy (with 5 spare copies) also forwarded to the Government of Burma, Commerce and Industry Department, to the Chief Secretary to the Government of Ceylon, Colombo, and to the Civil Secretary to the Government of Aden.

By order, etc.,

T. S. PILLAY,

*Deputy Secy. to the Govt. of India.*

*Simla, the 26th May 1940.*

*No. 501-Ind.-War (11)/40.*—In exercise of the powers conferred by sub-section (4) of section 2 of the Defence of India Act, 1939 (XXXV of 1939), and in supersession of the Notification of the Government of India in the Department of Commerce, No. 20, dated the 8th September 1939, the Central Government is pleased to direct that the power conferred on it by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules to provide by order for controlling the prices at which the articles specified in the Schedule annexed hereto may be sold otherwise than in a primary wholesale market, and the power conferred on it by clause (f) of the said sub-rule to provide for any incidental and supplementary matters for which it is expedient to provide for the purposes of an order made under clause (b) thereof, shall be exercisable also by any Provincial Government (including a Chief Commissioner) subject to the following conditions, namely:—

(1) The said powers shall, in respect of any imported articles other than salt, kerosene oil and medicines, be exercisable only with the previous sanction of the Central Government.

(2) The said powers shall be exercised in accordance with such general instructions as may be issued from time to time by the Central Government.

*Schedule.*

- Grains, pulses and flour.
- Gur.
- Milk and ghee.
- Vegetable oils.
- Chillies, turmeric and onions.
- Salt.
- Dhuties, lungies, saris and shirtings of Indian manufacture, woven from yarn of counts not exceeding 20s. in the warp or the weft.
- Kerosene oil.
- Charcoal, steam coal and fire wood.
- Matches.
- Medicines.
- Household soap.
- Fodder, bran, pollard and oilcakes.

A. H. LLOYD,

*Secy. to the Govt. of India.*

*No. 501-Ind.-War (11)/40.*

Copy forwarded to:—

All Provincial Governments (with 15 spare copies each with the request that the notification may be reproduced in the Provincial Official Gazettes).

All Chief Commissioners (with 15 spare copies with the request that the notification may be produced in the local official Gazettes where such Gazettes are issued).

The Political Department (with 150 spare copies) with the request that a copy of the notification may be communicated to the Governments of the Indian States concerned, and also to the office of His Highness the Chancellor, Chamber of Princes.

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• The Director General of Commercial Intelligence and Statistics, Calcutta.



The Director General, Posts and Telegraphs, New Delhi.  
 The Indian Trade Agent, Kabul.  
 His Majesty's Senior Trade Commissioner in India, Calcutta.  
 His Majesty's Trade Commissioner, Bombay.  
 The Canadian Government Trade Commissioner in India.  
 The American Trade Commissioner in India, Calcutta.  
 The Consul General for Egypt, Royal Consulate General of Egypt, Bombay.  
 The Federation of Indian Chambers of Commerce and Industry.  
 The Associated Chambers of Commerce of India.  
 All other recognised Chambers of Commerce and Associations.

Copy (with 14 spare copies) also forwarded to the Government of Burma, Commerce and Industry Department, to the Chief Secretary to the Government of Ceylon, Colombo, and to the Civil Secretary to the Government of Aden.

By order, etc.,

T. S. PILLAY,

Deputy Secy. to the Govt. of India.

*Information promised in reply to unstarred question No. 13, asked by Dr. P. N. Banerjee on the 5th November, 1940.*

#### SELECTION POSTS OR SELECTION GRADES SPECIFIED BY THE GENERAL MANAGERS ON CERTAIN STATE RAILWAYS.

The attached statement gives such information as is readily available.

*Statement showing the selection posts and the dates of specification on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways.*

#### EASTERN BENGAL RAILWAY.

| Designation.                                    | Date of specification. |
|---|------------------------|
| <i>General Manager's Office.</i>                |                        |
| Assistant Secretary, Office Superintendent      | } Dates not available. |
| Section Superintendent                          |                        |
| Clerks  |                        |
| Stenographers                                   |                        |
| General Inspector                               |                        |
| <i>Statistical Office.</i>                      |                        |
| Office Superintendent                           | } Dates not available. |
| Assistant Superintendent, Statistical Inspector |                        |
| Sub-head  |                        |
| Clerks, Class                                   |                        |

EASTERN BENGAL RAILWAY—*contd.*

| Designation.   | Date of specification. |                     |                      |                       |
|--|------------------------|---------------------|----------------------|-----------------------|
| <i>Engineering Departments.</i>  |                        |                     |                      |                       |
| Permanent Way Inspector<br>Assistant Permanent Way Inspector<br>Inspector of Works<br>Bridge Inspector, Office Superintendent<br>Junior Bridge Inspector<br>Assistant Bridge Inspector, Assistant Calculator<br>Signal Inspector and Block Signal Inspector<br>Assistant Signal Inspector and Assistant Block Signal Inspector<br>Chief Clerk<br>Clerks<br>Stenographer<br>Typist<br>Chief Draftsman<br>Draftsman<br>Head Calculator<br>Assistant Foreman  | } Dates not available. |                     |                      |                       |
| <i>Traffic Department.</i>   |                        |                     |                      |                       |
| Traffic Inspector and Junior Traffic Inspector<br>Station Superintendent, Transhipment Foreman<br>Station Master, Imp. 'C', 'B', 'A' and Special<br>Assistant Station Master, Imp.<br>Cabin Master<br>Goods Supervisor and Junior Goods Supervisor<br>Luggage Supervisor, Head Booking Clerk, Cash Witness<br>Platform Supervisor<br>District Controller, Grades I and II<br>Assistant Traffic Controllers<br>Yard Master<br>Yard Inspector<br>Assistant Yard Master<br>Head Ticker Collector, Head Signaller, Booking, Parcel, Weight,<br>Goods and Trains Clerks, Assistant Instructor (B. S.) and Com-<br>mercial Instructor, Sub-Inspector (Fire Brigade), Guard, Class<br>'C' |                        | } 1st January 1933. |                      |                       |
| Office Clerk, Class 'E'  |                        |                     | 15th September 1925. |                       |
| Commercial Inspector<br>Assistant Commercial Instructor<br>Chief Clerk<br>Clerk<br>Instructor (B. S.)<br>Inspector, Watch and Ward<br>Senior and Junior Inspector Crews<br>Crew-in-Charge<br>Assistant Transhipment Foreman  |                        |                     | } 1st January 1933.  |                       |
| <i>Mechanical Department.</i>  |                        |                     |                      |                       |
| Foreman and Shed Foreman<br>Assistant Foreman, Senior Valve-motion Inspector, Assistant Elec-<br>trical Foreman, 'A' Grade Draughtsman<br>Chargeman<br>Junior Chargeman and Head Time-Keeper<br>Assistant Shed Foreman   |                        |                     |                      | } Dates not available |

EASTERN BENGAL RAILWAY—*contd.*

Designation.

Date of specification.

*Mechanical Department—concl'd.*

|  |                        |
|--|------------------------|
| Head Train Examiners . . . . .                                   | } Dates not available. |
| Train Examiner . . . . .   |                        |
| Train Examiner (Vacuum Brake) . . . . .                          |                        |
| Stenographer . . . . .   |                        |
| Electric Foreman, Boiler Inspector and Loco. Inspector . . . . . |                        |
| Shedman . . . . .  |                        |
| Electric Chargeman . . . . .                                     |                        |
| Chief Clerk . . . . .  |                        |
| Head Clerk and Budget Clerk . . . . .                            |                        |
| Clerk . . . . .  |                        |
| Office Superintendent, Assistant Chief Draughtsman . . . . .     |                        |
| Senior Draughtsman . . . . .                                     |                        |
| Draughtsman . . . . .  |                        |
| Head Typist . . . . .  |                        |

*Stores Department.*

|                                  |                        |
|----------------------------------|------------------------|
| Chief Assistant . . . . .        | } Dates not available. |
| Store-Keeper . . . . .           |                        |
| Assistant Store-Keeper . . . . . |                        |
| Ward Keeper . . . . .            |                        |
| Office Superintendent . . . . .  |                        |
| Chief Clerk . . . . .            |                        |
| Clerk . . . . .                  |                        |
| Tindal . . . . .                 |                        |
| Typist . . . . .                 |                        |
| Stenographer . . . . .           |                        |

## EAST INDIAN RAILWAY.

*Operating Department.*

|   |  |
|---|--|
| Time-Table Inspector . . . . .  | } Date not available.<br>1st October 1932.<br>9th April 1938.<br>1st October 1932. |
| Movement Inspector . . . . .  |  |
| Divisional Transit Inspector . . . . .                                |  |
| Telegraph Traffic Inspector . . . . .                                 |  |
| Station Superintendent . . . . .                                      |  |
| Deputy Station Superintendent . . . . .                               | } 1st July 1938.   |
| Station Master (higher grade) . . . . .                               |  |
| Yard Master . . . . .   |  |
| Head Signallers of the Divisional Headquarters Offices . . . . .      |  |
| Boiler Inspector . . . . .  |  |
| Train Lighting Inspector . . . . .                                    |  |
| Transportation Inspector Stock . . . . .                              | } 1st October 1932.  |
| Coal Transportation Inspector . . . . .                               |  |
| Controllers . . . . .   |  |
| Running Shed Foremen . . . . .  |  |
| Assistant Running Shed Foremen . . . . .                              | } 1st October 1932.  |
| Power Transport Inspector (including staff and maintenance) . . . . . |  |
| Trial Engine Inspector . . . . .                                      | } 1st July 1938.   |
| Senior Fuel Inspector . . . . .                                       |  |
| Junior Fuel Inspector . . . . .                                       |  |
| Inspector Fitter . . . . .  |  |

EAST INDIAN RAILWAY—*contd.*

Designation.

Date of specification.

*Commercial Department.*

|  |                  |
|--|------------------|
| Goods Inspector, Goods Accountant, Howrah  | } 1st July 1938. |
| Chief Inspector (Tickets)  |                  |
| Claims Inspectors  |                  |
| Reweighment Inspector  |                  |
| Goods Supervisor (Howrah Goods)  |                  |
| Head Goods Clerk (Howrah Goods)  |                  |
| Goods Clerk (Howrah Goods and Ramkristopore)   |                  |
| Inspector (Commercial)   |                  |
| Advertising Inspectors   |                  |
| Head Parcel Clerk, Howrah  |                  |
| Assistant Parcel Clerk, Luggage and Parcel Supervisors, Assistant Goods Accountant, Howrah | }                |
| Chief Accountant and Booking Clerk, Howrah   |                  |

*Engineering Department.*

|  |                  |
|--|------------------|
| Inspector of Works and Bridge Inspector          | } 1st July 1938. |
| Permanent Way, Signal and Block Signal Inspector |                  |
| Signal and Block Signal Inspectors               |                  |
| Conservancy and Sanitary Inspectors              |                  |
| Draughtsmen                                      |                  |

*Electrical Department.*

|  |                       |
|--|-----------------------|
| Electrical Inspectors and Electrical Foreman | } 5th September 1939. |
| Electrical Superintendents                   |                       |
| Assistant Electrical Foremen                 |                       |
| Chargemen                                    |                       |

*Mechanical Department.*

|                            |                   |
|----------------------------|-------------------|
| Workshop Foremen           | 30th August 1940. |
| Boiler Inspectors          | 1st July 1938.    |
| Assistant Workshop Foremen | 30th August 1940. |
| Chargemen                  | 30th August 1940. |

*Printing Department.*

|   |                      |
|---|----------------------|
| Overseer  | } 2nd December 1939. |
| Foremen   |                      |
| Sub-Store Keeper, Head Reader and Head Mechanic |                      |

*Stores Department.*

|                               |                 |
|-------------------------------|-----------------|
| Chief Assistant               | 28th July 1939. |
| Depot Store Keepers           | 1st July 1938.  |
| Assistant Depot Store Keepers | 28th July 1939. |

*All Departments.*

|                        |                  |
|------------------------|------------------|
| Office Superintendents | } 1st July 1938. |
| Chief Clerks           |                  |
| Head Clerks            |                  |
| First Assistants       |                  |
| Head Draftsmen         |                  |

## GREAT INDIAN PENINSULA RAILWAY.

Designation.

Date of specification.

*General Manager's Office.*

|                             |                    |
|-----------------------------|--------------------|
| Head Clerks . . . . .       | } 17th April 1936. |
| Senior Clerks . . . . .     |                    |
| Clerks . . . . .            |                    |
| Lady Stenographer . . . . . |                    |

*Accounts Department.*

|   |                     |
|---|---------------------|
| Senior Inspector of Station Accounts and Senior Accountants . . . . . | } 1st October 1929. |
| Junior Accountants . . . . .  |                     |
| Stenographer . . . . .  |                     |
| Sub-Heads . . . . .   |                     |
| Senior Inspector of Stores Accounts . . . . .                         |                     |
| Junior Inspector of Stores Accounts . . . . .                         |                     |
| Junior Inspector of Station Accounts . . . . .                        |                     |
| Stock Verifiers . . . . .   |                     |

*Cash and Pay Department.*

|                             |  |
|-----------------------------|--|
| Assistant Cashier . . . . . |  |
| Sub-Cashier . . . . .       |  |
| Head Clerk . . . . .        |  |

*Engineering Department.*

|  |                       |
|--|-----------------------|
| Supervisors . . . . .  | } 17th February 1936. |
| Inspector of Works, Septic Tanks . . . . .   |                       |
| Inspector of Works . . . . .   | 9th September 1938.   |
| General Foreman, Structural Foreman, Signal and Interlocking Inspectors and P. W. Inspectors . . . . . | } 17th February 1936. |
| Office Superintendent . . . . .  |                       |
| Clerks . . . . .   | 5th February 1937.    |
| Head Draftsman . . . . .   | 17th February 1936.   |
|  | 17th February 1936.   |
|  | 11th June 1938.       |
| Draftsman, Custodian, Plumber . . . . .  | } 17th February 1936. |
| Chawl Superintendent . . . . .   |                       |
| Depot Storekeepers . . . . .   | .....                 |

*Transportation Department.*

|   |                     |
|---|---------------------|
| Office Superintendent . . . . .   | } 14th August 1936. |
| Heads of Sections . . . . .   |                     |
| Head Clerks . . . . .   |                     |
| Clerks . . . . .  |                     |
| Station Superintendent . . . . .  | 1st June 1938.      |
| Transportation Inspectors, Foremen (Traction), Mechanical Foremen, Carriage Branch Foremen, Chief Telegraph Inspector, Foreman, Byculla . . . . . | 28th July 1936.     |
| Deputy Station Superintendent, Controllers, Junior Assistant Foreman (Traction Branch), Loco. Inspector (Traction) . . . . .                      | 28th July 1936.     |
| Station Masters . . . . .   | } 14th August 1936. |
| Assistant Station Masters . . . . .   |                     |
| Yard Foremen . . . . .  |                     |
| Assistant Yard Foremen, Assistant Controllers . . . . .   |                     |

## GREAT INDIAN PENINSULA RAILWAY—contd.

Designation.

Date of specification.

*Transportation Department—contd.*

|   |       |           |
|---|-------|-----------|
| Chargemen, Electrical, Mechanical and Outside (Traction)              |       |           |
| Head Train Examiner (Traction), Inspector Sub-Station, Leading Stoker |       |           |
| Train Examiners, Engine Examiners, Head Linemen (Traction)            |       |           |
| Senior Inspector and Inspector Overhead Equipment                     |       |           |
| Bond Tester, Electrical Inspector                                     |       |           |
| Power Controller  |       |           |
| Switch Board Attendant  |       |           |
| Senior Turbine Driver   |       |           |
| Assistant Turbine Driver  |       |           |
| Auxiliary Plant Attendant   |       |           |
| Shift Stokers   |       |           |
| Loco. Foremen   | 28th  | September |
| Loco. Inspector   | 1936. |           |
| Assistant Loco. Foreman   |       |           |
| Head Fitter and Boilermaker Chargeman                                 |       |           |
| Fitter and Boilermaker Chargeman                                      |       |           |
| Carriage Inspector, Chief Telegraph Traffic Inspector                 |       |           |
| Head Train Examiners  |       |           |
| Assistant Foreman, Byculla  |       |           |
| Head Cabin Supervisor   |       |           |
| Head Signaller, V. T., Bombay   |       |           |

*Commercial Department.*

|   |                  |
|---|------------------|
| Office Superintendent   | 28th July 1936.  |
| Chief Crew Inspector  | 1st August 1938. |
| Heads of Sections   |                  |
| Chief Clerks  |                  |
| Chief Ticket Inspector, Senior Commercial Inspector and Chief Goods Inspector |                  |
| Goods Inspector   | 28th July 1936.  |
| Train Conductor   |                  |
| District Commercial Inspector   |                  |
| Assistant Commercial Inspector  |                  |
| Inspector (Watch and Ward)  |                  |

*Mechanical Department.*

|   |                     |
|---|---------------------|
| Chief Clerk (B. E. & I.), (Staff), (General) and (Store)  |                     |
| Leading Draftsman (Loco.) and (C. & W.) and Parel and Matunga Workshops   | 12th February 1936. |
| Draftsman (Electric)  | 3rd January 1940.   |
| Progress Supervisor (Electric)  |                     |
| Laboratory Assistant, Dynamometer Car Assistant   |                     |
| Boiler Inspectors, Electrical Foreman, Foremen, Parel, Jhansi and Matunga Workshops and Planner and Rate Fixer, Parel Workshops                         |                     |
| Chief Clerk, Parel, Jhansi and Matunga Workshops  |                     |
| Assistant Foreman, Parel and Jhansi Workshops, Yard Supervisor, Parel, Jhansi and Matunga Workshops, Chargeman (Covenanted), Parel and Jhansi Workshops |                     |
| Chief Timekeeper, Parel, Jhansi and Matunga Workshops   | 12th February 1936. |
| Chargemen (A. & B. Class), Parel, Jhansi and Matunga Workshops and Electrical Chargeman, Electrical Repair Shop, Matunga                                |                     |
| Electrical Inspector  |                     |
| Sub-Station Operators   |                     |
| Test Room Assistant   |                     |
| Electrical Chargeman, DD. Jhansi and Bhusaval   |                     |

GREAT INDIAN PENINSULA RAILWAY—*contd.*

Designation.

Date of specification.

*Stores Department.*

|  |                    |
|--|--------------------|
| Contract and Depot Superintendents . . . . . | } 12th March 1936. |
| Assistant Depot Superintendents . . . . .    |                    |
| Head Clerk . . . . .                         |                    |
| Supervisors, A, B, C, and D . . . . .        |                    |
|  | 1st December 1939. |

*Medical Department.*

|  |                    |
|--|--------------------|
| Assistant Surgeons (10 per cent) . . . . . | } 12th March 1936. |
| Chief Clerk . . . . .                      |                    |
| Matron . . . . .                           |                    |

## NORTH WESTERN RAILWAY.

|   |                   |
|---|-------------------|
| Train Inspector . . . . .               | } 5th June 1931.  |
| Station Superintendent . . . . .        |                   |
| Deputy Station Superintendent . . . . . |                   |
| Station Master . . . . .                |                   |
| Assistant Station Master . . . . .      | 4th October 1938. |
| Yard Supervisor . . . . .               | } 5th June 1931.  |
| Chief Controllers . . . . .             |                   |
| Deputy Controllers . . . . .            |                   |
| Assistant Controller . . . . .          | 4th October 1938. |
| Litigation Inspector . . . . .          | } 5th June 1931.  |
| Claims Inspector . . . . .              |                   |

*Transportation (Power) and Mechanical Branch.*

|   |                 |
|---|-----------------|
| Loco. Inspector . . . . .                               | 14th June 1938. |
| Carriage and Wagon Inspector, Viceregal Train . . . . . | 1932.           |

*Office Clerical Staff.*

|   |                    |
|---|--------------------|
| Office Superintendents . . . . .                    | } 28th April 1937. |
| Superintendents . . . . .                           |                    |
| Assistant Superintendents and Head Clerks . . . . . |                    |
| Clerks . . . . .                                    |                    |
| Stenographers . . . . .                             | 16th January 1935. |

Information promised in reply to starred question No. 138 asked by Mr. H. A. Sathar H. Essak Saït on the 18th November, 1940.

## SAVINGS DUE TO SETTING UP OF THE PORT HAJ COMMITTEES.

(a) Yes.

(b) It is difficult now to extract exact figures but the total saving during the years 1934-35 to 1939-40 would seem to be between Rs. 30,000 and Rs. 31,000.

*Information promised in reply to parts (d) to (h) of starred question No. 180, and parts (a) and (b) of starred question No. 181 asked by Khan Bahadur Mian Ghulam Kadir Muhammad Shahban on the 20th November, 1940.*

**REDUCTION OF THE GANG STAFF ON JACOBABAD-KASHMIRE SECTION, NORTH WESTERN RAILWAY, TO LOWER SCALES OF PAY.**

*No. 180.*—(d) Yes.

(e) The reply to the first part is in the affirmative; the second part does not arise.

(f) The staff were wrongly given 'C' scales of pay and their pay was refixed. The Administration is competent to rectify such mistakes.

(g) The answer to the first part is in the affirmative. As regards the second part, the General Manager, N. W. Railway on reconsideration has allowed the staff on the Jacobabad-Kashmore section to draw the 'C' scale of pay as personal to themselves until they vacate their posts or can be absorbed elsewhere on that division where 'C' scales are in force.

(h) Yes.

**DEDUCTIONS MADE FROM THE SALARIES OF THE GANG STAFF ON JACOBABAD-KASHMIRE SECTION.**

*No. 181.*—(a) Yes, but the General Manager, North Western Railway, has since withdrawn the order in view of his decision to allow the staff on the Jacobabad-Kashmore section to draw the 'C' scale of pay as personal to themselves. Arrangements have also been made to refund the amount already recovered from such staff.

(b) Arrangements have since been made to pay the staff who have already retired the difference between the gratuity admissible on the 'C' and 'B' scales of pay.

*Information promised in reply to unstarred question No. 6 asked by Qazi Muhammad Ahmad Kazmi on the 13th February, 1941.*

**INCOME, EXPENDITURE, ETC., OF THE ALLAHABAD CANTONMENT BOARD.**

|  | 1935-36. | 1936-37. | 1937-38. | 1938-39. | 1939-40. |
|--|----------|----------|----------|----------|----------|
| (a) Income . . .   | 1,21,322 | 1,31,648 | 1,18,412 | 1,05,786 | 1,23,734 |
| Expenditure . . .  | 1,48,947 | 1,26,918 | 1,16,537 | 1,11,305 | 1,23,513 |
| Reserve fund . . .   | 90,040   | 76,500   | 76,500   | 86,500   | 86,500   |
| (b) Water tax (including water rate).                          | 8,247    | 10,323   | 10,249   | 10,559   | 11,170   |
| Amount spent on water supply, excluding the entitled consumer. | 16,566   | 15,666   | 17,350   | 16,162   | 16,320   |

(c), (d) and (e). In spite of a thorough search in the local civil and military records, no useful information has so far been forthcoming.

Government do not consider that the time and labour involved in continuing the search can be justified.



Information promised in reply to unstarred question No. 7 asked by Mr. Muhammad Nauman on the 14th February, 1941.

### OVERCROWDING IN THE THIRD CLASS ON 19-UP AND 2C-DOWN DELHI EXPRESS TRAINS.

(a) No.

(b) The record maintained at Howrah showing the number of seats occupied on the departure of trains and the yearly census figures taken during a busy month.

Information promised in reply to parts (b) and (c) of starred question No. 134 asked by Dr. Sir Ziauddin Ahmad on the 25th February, 1941.

### ALLEGED BOGUS APPOINTMENTS IN THE HOWRAH DIVISION, EAST INDIAN RAILWAY.

(b) I understand that some of the appointments were made against existing vacancies, others where vacancies did not exist.

(c) The reply to the first part is in the affirmative and to the second in the negative, the last part does not arise.

Information promised in reply to starred question No. 150 asked by Mr. H. M. Abdullah on the 25th February, 1941.

### WORKS MISTRIES APPOINTED ON THE NORTH WESTERN RAILWAY.

The attached statement gives the required information.

Statement showing the number of staff recruited direct or promoted as works mistries during the year 1939 and 1940.

| Year. | Division.  | Temporary.             |         |       | By promotion. |         |       |
|-------|------------|------------------------|---------|-------|---------------|---------|-------|
|       |            | By direct recruitment. |         |       |               |         |       |
|       |            | Hindu.                 | Muslim. | Sikh. | Hindu.        | Muslim. | Sikh. |
| 1939  | Delhi      | 17                     | 2       | 7     | 1             | 1       | ..    |
|       | Rawalpindi | 3                      | 11      | 1     | Nil           |         |       |
|       | Karachi    | 42                     | 11      | 2     | 4             | 2       | 3     |
|       | Multan     | 4                      | 11      | 1     | 6             | ..      | ..    |
|       | Lahore     | 10                     | 21      | 15    | Nil           |         |       |
|       | Total      | 76                     | 56      | 26    | 11            | 3       | 3     |
| 1940  | Delhi      | 7                      | 2       | 3     | ..            | 2       | ..    |
|       | Rawalpindi | 2                      | 16      | ..    | ..            | Nil     | ..    |
|       | Multan     | 3                      | 7       | 1     | 5             | ..      | 3     |
|       | Lahore     | 19                     | 33      | 6     | Nil           |         |       |
|       | Total      | 31                     | 58      | 10    | 5             | 2       | 3     |

### Permanent.

|      |         |    |     |    |     |    |
|------|---------|----|-----|----|-----|----|
| 1939 | Karachi | .. | 1   | .. | Nil | .. |
| 1940 | Quetta  | .. | Nil | .. | 1   | .. |
|      | Lahore  | .. | 1   | .. | Nil | .. |
|      | Total   | .. | 1   | .. | 1   | .. |

*Information promised in reply to parts (b) and (c) of starred question No. 158 asked by Mr. Muhammad Nauman on the 25th February, 1941.*

#### PANEL SYSTEM FOR SELECTION TO LOWER GAZETTED SERVICE ON THE EAST INDIAN RAILWAY.

(b) 4 Muslims, 12 Hindus and 17 Europeans or Anglo-Indians.

(c) The numbers appointed and still officiating in February 1941 were 1 Muslim, 3 Hindus and 5 Europeans or Anglo-Indians. The numbers who officiated and subsequently reverted are 2 Muslims 3 Hindus and 8 Europeans or Anglo-Indians.

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*Information promised in reply to unstarred questions Nos. 19, 24, 25 parts (a) to (d) and (f) and 27, asked by Mr. Govind V. Deshmukh on the 25th February, 1941.*

#### ELECTRICAL RATES CHARGED BY RAILWAYS AND OTHER ELECTRICITY PRODUCERS AT HOWRAH.

No. 19.—Electric energy is supplied by the Calcutta Electric Supply Corporation to the public for lights and fans at a rate of Re. 0/2/6 per unit subject to a rebate of Re. 0/0/6 for prompt payment. In the case of domestic supplies there is also a duty charge of Re. 0/0/6 per unit levied under the Bengal Electricity Duty Act, 1935.

2. The Supply of electric energy by the East Indian Railway is made at the following rates :—

(A) To Auxiliary Railway Services (including Refreshment Rooms Re. 0-3-6. per unit—

(B) To Railway Employees . . . . . Re. 0-1-6 per unit.

(C) To outside consumers . . . . . Re. 0-4-0 per unit.

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#### SCALES OF PAY OF STENOGRAPHERS ON STATE RAILWAYS.

No. 24.—(a), (b) and (c). The attached statement gives such information as is available with Government.

(d) The qualification and method of recruitment are laid down in the rules contained in Appendix II of State Railway Establishment Code, Volume I.

(e) Stenography and typewriting.

(f) The differences in the scales of pay for stenographers are due mainly to nature of the work and responsibility attaching to each charge.

Statement showing the scales of pay of stenographers in all departments including the Accounts Departments of State-managed Railways before and after 1929.

## Scales of Pay.

| Name of office.                                       | Before 1929.   | After 1929.              |                              |
|---|----------------|--------------------------|------------------------------|
|   |                | Old Scales.              | New Scales.                  |
|   | Rs.            | Rs.                      | Rs.                          |
| <i>Eastern Bengal Railway.</i>                        |                |                          |                              |
| General Manager's Office                              | 250—10—300     | 210—10—300               | 230                          |
|   | 175—10—225     | 210—10—250               | 200                          |
|   | 130—10—160     | 175—10—225               | 160                          |
| Accounts Office                                       | ..             | 150—10—200               | ..                           |
|   | 260—10—30      | 150—10—270               | 100—10/2—140                 |
|   | 150—10—200     | 210—10—250               | 200                          |
| Other Departments                                     | 110—10—140     | 150—10—200               | 160                          |
|   | ..             | 110—10—140               | 100—10/2—120                 |
|   | ..             | 110—10—140— <sup>a</sup> | ..                           |
|   | 85—5—100—10    | 10—200.                  | ..                           |
|   | 140.           | 85—5—100                 | 65—5/2—85                    |
|   | ..             | 65—5—80/3—5              | ..                           |
|   | 65—5—80/3—5    | —100/3—10—140.           | ..                           |
|   | —100/3—10—140. | ..                       | ..                           |
| <i>East Indian Railway.</i>                           |                |                          |                              |
| General Manager's office including other departments. | 280—10—250     | 180—10—220               | 200 (Revised 1934).          |
|   | ..             | (Revised 1931).          | 180 (Revised 1934).          |
|   | 200—10—220     | 90—5—150                 | 160 (Revised 1934).          |
|   | ..             | (Revised 1931).          | 100—10/2—120 (Revised 1934). |
| Accounts Departments                                  | 150—10—270     | ..                       | 140 Grade I (Revised 1934).  |
|   | ..             | ..                       | 120 Grade II (Revised 1934). |
| <i>Great Indian Peninsula Railway.</i>                |                |                          |                              |
| General Manager's Office                              | 250—25—375     | 250—15—350               | 250                          |
|   | 250—15—350     | ..                       | ..                           |
|   | 240—15—300     | ..                       | 200                          |
| Accounts Department                                   | 200—10—300     | 200—10—240               | ..                           |
|   | 150—10—200     | ..                       | ..                           |
|   | 120—8—144—50.  | 150—10—270               | 150—10—200                   |
| Other Departments                                     | ..             | 240—15—300               | 250                          |
|   | 200—10—240     | 200—10—240               | 200                          |
|   | 160—10—200     | 160—10—200               | 160                          |
|   | 120—8—160      | 120—8—160                | 120                          |
|   | 80—8—120       | 80—8—120                 | 100                          |
|   | 60—5—80        | 60—5—80                  | 30—4—50—5—80.                |
|   | 40—5—60        | 40—5—60                  | ..                           |

*Statement showing the scales of pay of stenographers in all departments including the Accounts Departments of State-managed Railways before and after 1929—contd.*

## Scales of Pay.

| Name of office.                    | Before 1929.  | After 1929.   |               |
|------------------------------------|---------------|---------------|---------------|
|                                    |               | Old Scales.   | New Scales.   |
|                                    | Rs.           | Rs.           | Rs.           |
| <i>North Western Railway.</i>      |               |               |               |
| General Manager's Office . . . . . | 215—15—275    | 215—15—275    | 200           |
|                                    | 160—10—200    | 160—10—200    | 160           |
|                                    | 100—5—140     | 100—5—140     | 140           |
|                                    | ..            | ..            | 100—10/2—120. |
| Accounts Department . . . . .      | *             | 230—10—270    | 180           |
| Other Departments . . . . .        | 215—15—275    | 215—15—275    | 160           |
|                                    | 160—10—200    | 160—10—200    | 140           |
|                                    | 100—5—140     | 100—5—140     | 100—10/2—120  |
|                                    | 68—4—80—5—95. | 68—4—80—5—95. | 65—5/2—85     |
|                                    |               |               |               |

## PERSONNEL AND RESEARCH BRANCHES ON STATE RAILWAYS.

No. 25.—(a) There are no Research Branches on the Railways.

(b), (c) and (d) The attached statement gives the required information.

(f) The differences that exist are due to different organization on different Railways and differences in the volume of work handled.

*Statement showing the designation number and revised scales of pay of staff employed in the Personnel Branches of the E. B., E. I. and N. W. Railways.*

| Designation.                       | No. | Revised scales of pay.                      |
|------------------------------------|-----|---|
| <i>E. B. RAILWAY.</i>              |     |   |
| <i>Gazetted.</i>                   |     |   |
| Deputy General Manager, Personnel  | 1   | Rs. 1,300.                                  |
| Senior Scale Officer . . . . .     | 1   | Rs. 750—950.                                |
| Junior Scale Officer . . . . .     | 2   | Rs. 300—500.                                |
| Lower Gazetted Service . . . . .   | 1   | Rs. 250—600.                                |
| <i>Non-Gazetted.</i>               |     |   |
| Office Superintendent . . . . .    | 1   | Rs. 400.                                    |
| Section Superintendent . . . . .   | 4   | Rs. 230.                                    |
| Assistant Superintendent . . . . . | 1   | Rs. 180.                                    |
| Stenographer . . . . .             | 2   | Rs. 160, Rs. 230.                           |
| General Inspector . . . . .        | 1   | Rs. 200.                                    |
| Clerks . . . . .                   | 59  | Rs. 140, Rs. 100—120, Rs. 65—85, Rs. 30—60. |
| Typists . . . . .                  | 5   | Rs. 65—85, Rs. 30—60.                       |

\*\* There was no post of Stenographer in the Accounts Department.

*E. I. Railway.**Gazetted.*

|                                       |   |                              |
|---------------------------------------|---|------------------------------|
| Deputy General Manager . . . . .      | 1 | Rs. 1,300.                   |
| Senior Scale Officer . . . . .        | 2 | Rs. 750—950.                 |
| Junior Scale Officer L. G. S. . . . . | 3 | Rs. 300—500.<br>Rs. 250—600. |

*Non-Gazetted.*

|  |    |  |
|--|----|--|
| Superintendent . . . . .               | 1  | Rs. 350—400.   |
| P. A. to Dy. General Manager . . . . . | 1  | Rs. 260—340.   |
| Head Clerks . . . . .                  | 2  | Rs. 210—250, Rs. 240—300.  |
| Clerks . . . . .                       | 42 | Rs. 140—180, Rs. 140—164,<br>Rs. 116—131, Rs. 55—70,<br>Rs. 30—60. |
| Stenographer . . . . .                 | 4  | Rs. 100—120.   |
| Personnel Inspectors . . . . .         | 3  | Rs. 260—340.   |

*N. W. RAILWAY.**Gazetted.*

|   |   |              |
|---|---|--------------|
| Dy. General Manager Personnel . . . . . | 1 | Rs. 1,300.   |
| Senior Scale Officer . . . . .          | 4 | Rs. 750—950. |
| Junior Scale Officer . . . . .          |   | Rs. 300—500. |
| L. G. S. . . . .                        |   | Rs. 250—600. |

*Non-Gazetted.*

|  |    |                                       |
|--|----|---------------------------------------|
| Superintendent Personnel . . . . .           | 64 | Rs. 350.                              |
| Assistant Superintendent Personnel . . . . . |    | Rs. 230.                              |
| Head Clerks . . . . .                        |    | Rs. 200.                              |
| Sub-Heads . . . . .                          |    | Rs. 160, Rs. 140, Rs. 100—120.        |
| Clerks . . . . .                             |    | Rs. 100—120, Rs. 65—85, Rs.<br>30—60. |

NOTE.—Inferior staff are not included in the statements.

## RULES FOR ALLOTMENT, ETC., OF RENT-FREE OR RENTED RAILWAY QUARTERS.

No. 27.—Copies of the rules prescribed by the Eastern Bengal, East Indian and Great Indian Peninsula Railways, and by the North Western Railway in respect of the Railway Officers' bungalows at Lahore and Moghalpura, which are in a convenient form are placed in the Library of the House. For other allotments on the North Western Railway the rules are not available in a convenient form, but they follow generally the rules laid down in Chapter XIX of the State Railway Code for the Engineering Department a copy of which is in the Library of the House.

*Information promised in reply to unstarred questions Nos. 41, 42 and 44 parts (c) to (g) asked by Maulvi Muhammad Abdul Ghani on the 25th February, 1941.*

OPERATION OF THE RULES ~~RE~~ RENT-FREE QUARTERS ON STATE RAILWAYS.

No. 41.—(a) and (b) Before the introduction of the rules in the State Railway Code for the Engineering Department and the Circular referred to, staff entitled to free quarters were allowed to continue to occupy them while on leave for short periods on account of sickness, etc. or on privilege leave provided that the quarters were not required and that no allowance was drawn by the *locum tenens*.

(c) The effect of the circular in the case of the employees taken over from the East Indian Railway Company management was to retain for them the privilege they had enjoyed under the Company's rules.

(d) Yes.

(e) and (f) The withdrawal of the concession in the case of the State Railway staff was due to a mistaken impression and it has now been restored on the old scale to those who formerly enjoyed it.

• **CONFIRMATION IN HIGHER GRADES FROM THE HOWRAH GOODS STAFF.**

No. 42.—(a) None since the issue of the Circular of 10th June 1939 referred to.

(b) Four.

(c) (i) and (ii). Of the individuals mentioned Messrs. N. Sen, P. H. Benbow and H. C. Shaw are confirmed in grades higher than the lowest. The others are officiating in grades higher than the lowest, and with the exception of Mr. Gyasuddin who has already passed the Goods Accounts Examination, will be required to pass before they are confirmed in the higher posts.

(d) No. Only two of them have been declared as unsuitable for promotion to the post of Assistant Goods Accountant in the grade of 180—10—300.

(e) The passing of the examination is not obligatory for officiating promotion and none who have not passed the examination have been confirmed since 10th June 1939, *vide* answer to part (a) above.

**RAILWAY ACCIDENT BETWEEN HARANGAU AND FERIZABAD STATIONS, EAST INDIAN RAILWAY.**

No. 44.—(c) Both Harangau and Ferizabad railway stations are "double line" stations, worked on the absolute block system.

(d) No.

(e) There is no mechanical protection against the use of these instruments by unauthorised persons. The second part of the question does not, therefore, arise.

(f) Yes.

(g) Yes. The Senior Government Inspector of Railways came to the conclusion that some person or persons unknown operated the instrument, thus transmitting line clear to Harangau for the down passenger train while the goods train was still in the section. He held that the Assistant Stations Masters of the stations were both guilty of breach of rules.

*Information promised in reply to parts (b) to (f) of unstarred question No. 58 asked by Pandit Nilakantha Das on the 25th February, 1941.*

**CONTINUATION OF THE CONTRACT FOR THE HINDU REFRESHMENT ROOM AT DELHI STATION GIVEN TO BALLABHDAS ESWARDAS.**

(b) and (c) Yes.

(d) and (e). Neither tenders nor applications were invited. The contract was renewed for another year on the terms and conditions of the original contract as the work of the firm was considered satisfactory.

(f) Only one complaint of substance appears to have been made during 1939-40. This related to a refreshment room and kitchen which were found to be dirty, and suitable instructions were issued to the contractors.

Information promised in reply to starred question No. 184 asked by Mr. Muhammad Azhar Ali on the 26th February, 1941.

APPOINTMENTS, PROMOTIONS, ETC., IN THE STAFF OF THE DELHI MUNICIPAL COMMITTEE.

(a) and (b) The value of the information asked for by the Hon'ble Member in respect of appointments, promotions, suspensions and dismissals among the large municipal staff, including the petty establishment, would not be commensurate with the time and labour involved in its compilation. Statements are, however, laid on the table which give the number of (a) new appointments to posts carrying pay of Rs. 50 or above, and (b) suspensions and dismissals in the total establishment of the Delhi Municipal Committee for the period 1st January, 1939 to 5th February 1941.

(a) Statement showing the number of new appointments to posts carrying pay of Rs. 50 or above for the period 1st January 1939 to 5th February 1941.

| Hindus. | Muslims. | Sikhs. | Christians. | Total. |
|---------|----------|--------|-------------|--------|
| 38      | 23       | 3      | 18          | 82     |

(b) Statement showing the number of suspensions and dismissals in the total establishment during the period 1st January 1939 to 5th February 1941.

|  | Hindus. | Muslims. | Sikhs. | Christians. | Total. |
|--|---------|----------|--------|-------------|--------|
| 1. Suspension—   |         |          |        |             |        |
| (a) ordered as a punishment                                      | 6       | 2        | ..     |             | 8      |
| (b) ordered as an interim measure pending departmental enquiries | 6       | 7        | 1      | 2           | 16     |
| 2. Dismissals  | 5       | 3        | ..     | ..          | 8      |

Information promised in reply to starred question No. 207 asked by Maulvi Muhammad Abdul Ghanvi on the 28th February, 1941.

RAILWAY REFRESHMENT CONTRACTS HELD BY BALLABHDAS ESWARDAS.

As regards the East Indian Railway, in addition to the 'area' contracts of Howrah and Dinapore Divisions, Messrs. Ballabhdas Eshwardas hold contracts at certain stations on the Allahabad, Lucknow and Moradabad Divisions, particulars of which are given in the statement below.

I understand that the firm does not hold catering contracts on more than two Divisions on the Great Indian Peninsula Railway.

The East Indian Railway gave these contracts to Messrs. Ballabhdas Eshwardas in order to secure a satisfactory service for the public.

Statement showing particulars of contracts held by Messrs. Ballabhdas Eshwardas at certain stations on the Allahabad, Lucknow and Moradabad Divisions of the East Indian Railway.

|                    |   |
|--------------------|---|
| Allahabad Division | Hindu refreshment rooms at Allahabad, Cawnpore, and Tundla, and certain vending contracts at 13 stations.             |
| Lucknow Division   | Hindu refreshment rooms at Lucknow and Benares Cantonment and vending contracts at Benares Cantonment and Pertabgarh. |
| Moradabad Division | Hindu refreshment rooms at Moradabad, Bareilly, Hardwar and Lhaksar, and vending contract at Moradabad station.       |

*Information promised in reply to parts (d), (f) and (g) of starred question No. 218 and starred question No. 220. asked by Mr. H. M. Abdullah on the 28th February, 1941.*

APPOINTMENTS TO THE NEWLY CREATED POSTS OF ASSISTANT CHARGEMEN  
ON NORTH WESTERN RAILWAY.

No. 218.—(d) When the Administration decided to amalgamate the power and train lighting branches of the Electrical Department it was necessary to consider whether the men possessed the requisite knowledge for doing the work, irrespective of their training. I am informed that persons promoted to higher appointments possess the requisite qualifications.

(f) One has been so promoted.

(g) Promotions are not regulated by communal consideration.

NON-CANCELLATION OF THE LIST OF CANDIDATES FOR APPOINTMENT AS STOCK  
VERIFIERS.

No. 220.—(a) Lists of candidates selected for recruitment are generally kept open for one year, while those for promotion to higher posts are maintained without time limit.

(b) A fresh selection will be made when appointments have to be made. The existing list is being treated as obsolete.

(c) Yes.

(d) and (e) Do not arise in view of reply to part (b).

(f) Yes.

(g), (h) and (i). Do not arise.

*Information promised in reply to unstarred questions Nos. 74, 76 parts (a), (c) and (d), 77, 81 parts (c) and (e), 82, 84, 85, 86 part (g) asked by Khan Bahadur Shaikh Fazl-i-Haq Piracha on the 28th February, 1941.*

PROMOTION TO POSTS OF SECTION CONTROLLERS, GRADE "A", IN HOWRAH  
DIVISION, EAST INDIAN RAILWAY.

No. 74.—(a) Three permanent and one officiating promotions were made; of those promoted permanently one was an Assistant Station Master on the Asansol division who was senior to all Assistant Station Masters on the Howrah division and the other two were third and fourth on the seniority list of Assistant Station Masters on the Howrah division. The man who was appointed to officiate was a medically unfitted guard who had been absorbed in the lower grade of Section Controllers.

(b) No, except in the case of the first man referred to in the reply to part (a).

(c) No. A man who had been drawing on the average about Rs. 290 as a guard, and had become medically unfit for these duties was at first absorbed in a post of Section Controller on Rs. 155 and then appointed as Section Controller on Rs. 300—10—400.

PROMOTION OF INFERIOR STAFF TO CERTAIN POSTS UNDER THE POWER SUPER-  
INTENDENT, HOWRAH DIVISION, EAST INDIAN RAILWAY.

No. 76.—(a) The attached statement gives such information as is readily available.

(c) In the Howrah Division the communal quotas were not obtained and the matter is being examined by the General Manager.

(d) No advertisement was necessary as Government are informed that no direct recruitment of outsiders has been made to such posts during recent years in the Howrah Division. A Selection Board tested the competency of the inferior servants for promotion (recruitment) to the grade of Firemen.



### NON-ADVERTISEMENT FOR CERTAIN POSTS IN HOWRAH DIVISION, EAST INDIAN RAILWAY.

No. 77.—The posts were filled by promotion or by men in service and it was, therefore, not necessary to advertise vacancies: the method of recruitment referred to by the Hon'ble Member is not applicable to these posts.

#### STATEMENT.

##### (i) Particulars of inferior staff promoted as firemen on the Howrah Division.

| Serial No. | Date of appointment. | Appointed as.                     | Pay on original appointment. | Date of promotion to Fireman. |
|------------|----------------------|-----------------------------------|------------------------------|-------------------------------|
| 1          | 2                    | 3                                 | 4                            | 5                             |
|            |                      |                                   | Rs.                          |                               |
| 1          | 6-5-32               | Cleaner . . . . .                 | 12                           | 1-8-34                        |
| 2          | *                    | Do. . . . .                       | 12                           | 11-8-34                       |
| 3          | 24-6-35              | Do. . . . .                       | 12                           | 26-8-38                       |
| 4          | 17-9-34              | Do. . . . .                       | 12                           | 26-8-38                       |
| 5          | 18-11-35             | Do. . . . .                       | 12                           | 28-8-38                       |
| 6          | 18-11-35             | Do. . . . .                       | 12                           | 28-8-38                       |
| 7          | 18-12-34             | Do. . . . .                       | 12                           | 4-9-38                        |
| 8          | 17-2-32              | Do. . . . .                       | 15                           | 5-9-38                        |
| 9          | 1-4-38               | Do. . . . .                       | 12                           | 14-9-38                       |
| 10         | 16-9-35              | Bound Apprentice Fitter . . . . . | 8                            | 20-9-38                       |
| 11         | 30-11-35             | Shed Apprentice Fitter . . . . .  | 8                            | 25-7-39                       |
| 12         | 17-10-38             | Cleaner . . . . .                 | 12                           | 25-7-39                       |
| 13         | 18-10-38             | Do. . . . .                       | 12                           | 25-7-39                       |
| 14         | 16-3-38              | Do. . . . .                       | 12                           | 11-1-40                       |

\* His date of appointment cannot be readily furnished.

##### (ii) Particulars of inferior staff promoted as fuel checkers on the Howrah Division.

| Serial No. | Date of appointment. | Appointed as.          | Pay on original appointment. | Date of promotion. |
|------------|----------------------|------------------------|------------------------------|--------------------|
| 1          | 2                    | 3                      | 4                            | 5                  |
|            |                      |                        | Rs.                          |                    |
| 1          | 11-12-33             | Cleaner . . . . .      | 12                           | 14-2-37            |
| 2          | 9-7-35               | Do. . . . .            | 12                           | 11-9-38            |
| 3          | 20-4-35              | Do. . . . .            | 12                           | 11-1-39            |
| 4          | 1-3-32               | Do. . . . .            | 12                           | 12-9-38            |
| 5          | 8-11-37              | Fitter cooly . . . . . | 13                           | 19-12-38           |
| 6          | 2-3-38               | Cleaner . . . . .      | 12                           | 16-8-40            |
| 7          | 19-11-38             | Do. . . . .            | 12                           | 13-10-40           |

### ALLEGED BOGUS APPOINTMENTS IN THE HOWRAH DIVISION, EAST INDIAN RAILWAY.

No. 81.—(c) Yes.

(e) The main facts are that a temporary clerk in the office of the Divisional Superintendent, Howrah, issued letters of appointment to candidates who had not been selected for appointment by the competent authority and for whom, in some cases, there were no vacancies. On the discovery of the irregularities the candidates irregularly appointed were discharged. The clerk was prosecuted on three charges of having cheated by receiving money in respect of the making of three of these irregular appointments. He was convicted on all the charges by the trial court but was acquitted on appeal.

## GUARDS IN MORADABAD DIVISION, EAST INDIAN RAILWAY.

No. 82.—(a) Yes.

(b) I understand that this is not the case.

(c) Six, as a result of the re-allotment of higher grade guards' posts on the divisions.

(d) As regards the first part, two of the six guards transferred to the Moradabad Division formerly drew mileage allowance at the rate of Rs. 1-4, 1-6 and 1-14 per 100 miles according as they worked Mail, Express and Passenger or Goods trains respectively; the other four at the rate of Rs. 2 per 100 miles for all classes of trains. On the Moradabad Division all six draw mileage allowance at the rate of Rs. 2 per 100 miles.

(e) No exact figure can be given; but as stated above four of the guards were already drawing mileage at the higher rate.

(f) Yes. They were transferred to meet a shortage of qualified staff and they were retransferred gradually when this shortage was made up.

(g) The transfers were effected for a better distribution of higher grade posts in the interests of efficient working.

## COMMERCIAL GROUP STAFF VIS-A-VIS THE TRANSPORTATION STAFF ON EAST INDIAN RAILWAY.

No. 84.—(a) No.

(b), (c) and (d). Five in each case

## GUARDS IN MORADABAD DIVISION, EAST INDIAN RAILWAY.

No. 85.—(a) None of those appointed in 1940 and 1941 come within the description given in the question.

(b) Yes.

## MUSLIM STAFF AT PATIALA RAILWAY STATION, NORTH WESTERN RAILWAY.

No. 86.—(g) The answer to the inquiry made from the administration was in the negative.

*Information promised in reply to parts (c), (d) and (f) to (i) of unstarred question No. 97, and unstarred question No. 100, asked by Mr. Muhammad Ashar Ali, on the 5th March, 1941.*

## ASSISTANT STATION MASTERS ON EAST INDIAN RAILWAY.

No. 97.—(c) No.

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

(g) 'A' class Station Masters are in charge of small roadside station. The Assistant Station Masters do not assume this responsibility.

(h) 2 have been on the maximum for more than 11 years; 52 have been on it for 5-10 years and 97 for 1-5 years. These include men declared unfit for further promotion.

(i) Both the assistant station masters and 'A' class station masters are joint hands trained in telegraphy, transportation and coaching and goods duties. Station Masters are required in addition to pass the Goods Accounts (lower) examination.

## GUARDS NOT QUALIFIED IN THE FIRST AID ON EAST INDIAN RAILWAY.

No. 100.—There were no guards whose increments and promotions were withheld in 1940 on account of their failure to qualify in First Aid.

Information promised in reply to parts (c) and (d) of starred question No. 289 asked by Mr. Lalchand Navalrai on the 10th March, 1941.

**CERTAIN BOY FIREMEN ON NORTH WESTERN RAILWAY ELECTING OLD EDUCATIONAL ASSISTANCE RULES.**

(c) The answer to the first point is in the affirmative; as regards the second part, the question has been reconsidered and it has been decided to permit such staff to be governed by the old rules regarding educational assistance.

(d) Government are informed that in view of the decision referred to in the reply to part (c) any recoveries made will be refunded.

Information promised in reply to unstarred question No. 114 asked by Sardar Sant Singh on the 10th March, 1941.

**PRINCIPLE FOR PROMOTION OF SELECTED STAFF IN THE DELEN DIVISION OF NORTH WESTERN RAILWAY.**

(a) I have seen the letter referred to and am informed that it does not refer to appointments made on the results of examinations. I have been unable to verify whether a reference was made to the General Manager. The last part does not arise.

(b) Yes; to appointments other than those filled on the results of examinations.

(c) I understand that the General Manager, ordinarily follows the same practice in similar circumstances.

Information promised in reply to part (c) of starred question No. 320 asked by Pandit Lakshmi Kanta Maitra on the 14th March, 1941.

**WORKING OF THE 60-YEAR SUPERANNUATION PENSION RULE.**

(c) A statement is laid on the table.

Statement showing the names of ministerial servants in the Departments (including Attached Offices) at the headquarters of the Government of India who were made to retire during the period—April to February—of the official year 1940-41 before they attained sixty years of age—

(i) in the ordinary course, and

(ii) specifically on the ground of inefficiency.

| Department or Office.                                 | Name of the Ministerial servant. | Whether retired in the ordinary course or specifically on the ground of inefficiency. |
|---|----------------------------------|---|
| Finance Department (Ordinary Branch).                 | Mr. A. T. Chatterjee             | In the ordinary course.   |
|   | „ L. K. D. Ghattack              | Ditto.  |
|   | „ S. N. Bose                     | Ditto.  |
| Finance Department. (Military Finance Branch).        | „ S. K. Mukerjee                 | Ditto.  |
|   | „ M. M. Basu                     | Ditto.  |
| Home Department                                       | „ C. N. Mathur                   | Ditto.  |
| Commerce Department                                   | „ H. D. Banerjee                 | Ditto.  |
|   | Rai Bahadur Tulsi Ram            | Ditto.  |
| Railway Department. (Railway Board).                  | „ J. C. Majumdar                 | Ditto.  |
|   | „ D. K. Banerjee                 | Ditto.  |
| Department of Labour                                  | „ Barkat Rai                     | Ditto.  |
|   | Rai Sahib Bhag Mal               | Ditto.  |
| Department of Education, Health and Lands.            | Mr. S. K. Sarker                 | Ditto.  |
|   | „ Jawahar Kishen                 | Ditto.  |
| Legislative Assembly Department.                      | „ J. R. Dwivedi                  | Ditto.  |
|   | „ P. N. Banerjee                 | Ditto.  |
| Indian Stores Department                              | „ B. B. Halder                   | Ditto.  |
|   | „ Bhagat Singh                   | Ditto.  |
|   | „ Nihal Chand Puri               | Ditto.  |
| Office of the Director General, Posts and Telegraphs. | „ K. C. Roy                      | Ditto.  |
|   | „ N. N. Ghosh                    | Ditto.  |
|   | „ S. C. Chandra                  | Ditto.  |
|   | „ L. K. Basu                     | Ditto.  |
| Central Standards Office                              | „ K. B. Gupta                    | Ditto.  |
|   | „ Abdur Rahim                    | Ditto.  |

Information promised in reply to starred question No. 329 asked by *Mawvi Muhammad Abdul Ghani* on the 14th March, 1941.

#### MUSLIMS IN THE OPIUM DEPARTMENT.

- (a) 25 per cent. of the vacancies filled by direct recruitment.
- (b) Four.
- (c) One.
- (d) Two (including a vacancy due to the reversion of an officer which will take place shortly).
- (e) to (g). Yes.

Information promised in reply to parts (b), (c) and (d) of starred question No. 330 asked by *Mr. H. A. Sathar H. Essak Sait* (on behalf of *Nawab Siddique Ali Khan*) on the 14th March, 1941.

#### EXTENSIONS OF SERVICE TO SUPERINTENDENTS..

(b) and (c). Superintendents in the following Departments and Offices were retained in service after attaining the age of 55 years during the period 1st March 1938 to 28th February 1941—

| Dept. or Office  | Number. | Community. |
|--|---------|------------|
| Home Department  | One     | Hindu.     |
| Department of Education, Health and Lands                                | One     | Hindu.     |
| Office of the Agricultural Marketing Adviser to the Government of India. | One     | Hindu.     |
| Office of the Director General, Posts and Telegraphs                     | One     | Hindu.     |

(d) No : eight non-Muslim Superintendents retired on reaching the age of 55 within the period mentioned above. One Muslim Superintendent retired on reaching the age of 55 shortly after that period.

Information promised in reply to second part of starred question No. 346, and starred question No. 347, asked by *Nawab Siddique Ali Khan* on the 15th March, 1941.

#### EMPLOYEES LOSING JOBS FOR HABITUAL INDEBTEDNESS ON EAST INDIAN RAILWAY.

No. 346.—Five, during the year 1940 including one employee who was removed from the service for making an application for insolvency without obtaining departmental sanction.

#### VISION TEST FAILED STATION MASTERS AND ASSISTANT STATION MASTERS EMPLOYED IN TICKET CHECKING BRANCH OF MORADABAD DIVISION.

No. 347.—(a) Two Station Masters.

(b) They were drawing Rs. 72 and Rs. 76 in the grade Rs. 52—4—76.

(c) The pay of the men is Rs. 64 and Rs. 52, respectively. The first is now on leave prior to retirement and the other who is employed as a Ticket Collector in the grade Rs. 37—3—52 is being put into a post of Goods Clerk on Rs. 66.

(d) The Honourable Member is referred to the reply to the previous parts.

*Information promised in reply to starred questions Nos. 350, 351, and 352 asked by Qazi Muhammad Ahmad Kazmi on the 15th March, 1941.*

#### PROMOTION OF JOURNEYMEN AS CHARGEMEN ON EAST INDIAN RAILWAY.

*No. 350.*—(a) I am informed that the duties of Journeymen are not supervisory.

(b) Literate and competent Mistries are still promoted as Journeymen and they are eligible for further promotion to Chargemen (grade Rs. 90—20—250). It is not a fact that posts of Journeymen and Chargemen were wholly filled by promoted Mistries.

(c) Journeymen are not promoted to posts of Chargemen grade Rs. 185—15—350/270—20—330; these posts are filled by trained Apprentice Mechanics and a few selected Chargemen in the grade Rs. 90—20—250. Journeymen who obtain promotion to the lower grade of Chargemen can become ultimately eligible for the higher grade by selection. When trained Apprentice Mechanics are not available for filling any posts of Chargemen, Rs. 185—15—350/270—20—330; Journeymen are appointed to officiate in the lower grade; this, however, confers no claim for permanent promotion.

#### RECENT RESTRICTION ON ADVANCE OF LOANS BY CO-OPERATIVE CREDIT SOCIETY ON EAST INDIAN RAILWAY.

*No. 351.*—The General Manager issued the orders referred to in the question. Government do not propose to interfere as the orders were designed for the best interest of the staff and would appear to serve that purpose.

#### LEAVE PRIVILEGES TO INFERIOR LABOUR STAFF PROMOTED TO SUBORDINATE CADRE ON EAST INDIAN RAILWAY.

*No. 352.*—(a) Apprentices appointed before 1st September 1928 and subsequently absorbed in the regular establishment without a break in service have been allowed the benefit of the Fundamental Leave Rules.

(b) Inferior labour staff in sheds and workshops appointed before 1st September, 1928, who have elected the Fundamental Leave Rules, continue to enjoy leave under those rules on promotion to subordinate service.

*Information promised in reply to parts (a) to (d) of unstarred question No. 131, and unstarred question No. 132, asked by Mr. Muhammad Ashur Ali on the 15th March, 1941.*

#### COMPETENCY OF THE STATION SUPERINTENDENT, HOWRAH, TO GRANT UNRECORDED LEAVE TO HIS SUBORDINATE STAFF.

*No. 131.*—(a) The reply to the first part is in the affirmative and to the second part in the negative.

(b) No : conditions of work are not identical in all posts.

(c) Yes.

(d) The Station Superintendent can grant casual leave to all staff employed under him.

#### RULES FOR PROMOTION IN THE COMMERCIAL DEPARTMENT OF THE NON-GAZETTED STAFF ON EAST INDIAN RAILWAY.

*No. 132.*—(a) Yes, the orders require that (i) all goods clerks in grades above the lowest and all station masters must pass the Goods Accounts (Lower) examination and (ii) all Senior Commercial, Transportation and joint staff, e.g., Inspectors, higher grade station masters and goods clerks, etc., must pass the Goods Accounts (Higher) examination. Staff over 45 years of age are exempted.

(b) They retain their seniority but are not eligible for permanent promotion till they have passed the examination.

*Information promised in reply to part (h) of starred question No. 373 asked by Sir Syed Raza Ali on the 17th March, 1941.*

MR. K. N. PURI, FORMER CUSTODIAN OF THE ARCHÆOLOGICAL MUSEUM AT MOHENJODARO, AND THE ORDER PASSED AGAINST HIM BY THE CIRCLE SUPERINTENDENT.

The Government of India have reviewed the case relating to the claim of travelling allowance by Dr. K. N. Puri and have decided after consulting the Federal Public Service Commission, that he should be reduced by one stage in the time scale of pay drawn by him for a period of one year, with effect from the 1st October, 1941.

*Information promised in reply to starred question No. 380 asked by Mr. Umar Aly Shah on the 17th March, 1941.*

#### ENHANCEMENT IN THE PASSAGE FARE CHARGED FROM THE INDIAN HAJ PILGRIMS.

(a) The attention of the Honourable member is invited to the reply to starred questions Nos. 1973-1975 on the 8th December, 1938. There is no record that the Mogul Line, during the discussions with the Honourable the Commerce Member in the autumn of 1938, ever indicated that, in their opinion, a return fare of Rs. 121 for a deckpassage between Bombay and Jedda would in normal times be an economic fare.

(b) Does not arise.

(c) The following increases are reported to have been made in certain steamer fares.

| Steamer fares.   | Increase over pre-war fares. |
|--|------------------------------|
| All fares for Europe, Far East and Australia (in most cases return fares are not being quoted) | per cent. 33½                |
| Single and return fares for East African ports and Persian Gulf ports                          | 50                           |
| Fares from Bombay to Karachi   | 25                           |
| Fares to Red Sea ports, excepting pilgrim fares, (return fares are not being quoted)           | 50                           |

*Information promised in reply to starred question No. 382 asked by Mr. H. A. Sathar H. Essak Sait on the 17th March, 1941.*

#### PATIENTS TREATED AT AND EXPENDITURE ON THE IRWIN HOSPITAL, NEW DELHI.

| Year | Number of patients treated. |               | Expenditure.<br>Rs.          |
|------|-----------------------------|---------------|------------------------------|
|      | In-patients.                | Out-patients. |                              |
| 1936 | 1,357                       | 61,420        | 1,85,000<br>(approximately). |
| 1937 | 3,742                       | 65,733        | 2,96,312                     |
| 1938 | 4,989                       | 73,324        | 3,08,924                     |
| 1939 | 5,441                       | 87,857        | 3,46,596                     |
| 1940 | 4,903                       | 83,754        | 4,24,108                     |

The figures for 1936 are for the period 1st June to 31st December.

*Information promised in reply to starred question No. 387 asked by Mr. Govind V. Deshmukh on 17th March, 1941.*

**SISTERS AND NURSES IN THE IRWIN HOSPITAL, NEW DELHI. \***

|                            |     |     |    |
|----------------------------|-----|-----|----|
| (a) Nursing Superintendent | ... | ... | 1  |
| Sisters                    | ... | ... | 7  |
| Nurses                     | ... | ... | 44 |

(b) A sister has to remain on night duty for 10 hours and on day duty for 8½ hours. A nurse has to remain on night duty for 12 hours and on day duty for 9 hours. During night duty half an hour's break is allowed.

(c) Not normally. The ordinary turn for night duty is a month, with one night off duty, but this period has on occasions to be extended.

(d) It would not be possible to shorten the hours without increasing the strength of the nursing staff.

(e) A night nurse normally looks after 26 patients in one ward *plus* 2 in a special room. When the nursing staff available is below the sanctioned strength, the number of patients in a nurse's charge may unavoidably be larger.

*Information promised in reply to starred question No. 390 asked by Maulvi Syed Murtuza Sahib Bahadur on the 17th March, 1941.*

**LACK OF CIVIC AMENITIES IN CERTAIN LOCALITIES OF DELHI.**

(a) No.

(b) One large public latrine is provided in Malkaganj.

(c) Yes. The Katra is private property and the responsibility for its lighting and sanitation rests primarily with the owner. Actually he has been prosecuted for the insanitary conditions which prevail.

(d) and (e). The Municipal Committee has sanctioned an estimate for the reconditioning of the lanes and the work is to be taken in hand shortly.

(f) The complaints will be brought to the notice of the Municipal Committee.

*Information\* promised in reply to unstarred question No. 140 asked by Mr. Amarendra Nath Chattopadhyaya on the 17th March, 1941.*

**APPOINTMENTS IN THE INDIAN STORES AND SUPPLY DEPARTMENTS IN CONNECTION WITH WAR SUPPLY.**

\* \* \* \* \*

*Information promised in reply to parts (b) to (e) of starred question No. 439 asked by Qasi Muhammad Ahmad Kazmi on the 20th March, 1941.\**

**PASSES FALSELY OBTAINED BY CERTAIN RAILWAY EMPLOYEES IN MORADABAD DIVISION, EAST INDIAN RAILWAY.**

(b) Each case is considered on its merits and decided in conformity with the rules regulating discipline and rights of appeal of non-gazetted servants.

(c) I understand that no such case has occurred within the last 10 years.

\*Not included in these Debates, but a copy has been placed in the Library of the House.—Ed. of D.

(d) and (e). Particulars of the cases referred to in these parts of the question are, I understand, as follows :—

- (1) A gatekeeper, who had children of his own, obtained a pass for a boy, who was neither a dependent relative nor an adopted son, and was, therefore, not entitled to passes. He was removed from service.
- (2) A stationmaster obtained a pass for a boy who, it later transpired, was actually adopted, and for a widowed niece who had been dependent on him since the age of 9. The General Manager was satisfied that the breach of the pass rules was committed unwittingly. The cost of fares for the journeys performed by the adopted son and niece were recovered from the stationmaster who had an excellent record for 34 years. He was due to go to another station on promotion, and was sent there as soon as the case was settled.

*Information promised in reply to part (b) of starred question No. 436 asked by Bhai Parma Nand on the 20th March, 1941.*

#### PROMOTION OF RAILWAY GUARDS FROM GRADE II TO GRADE III.

(b) Of the eight men mentioned in the reply to part (a) one, who was permitted to appear along with outside candidates, was already a guard. Including him, 25 guards were promoted and 7 recruited from outside. As regards the latter part the Hon'ble Member is referred to the reply to part (a).

*Information promised in reply to unstarred question No. 156 asked by Qazi Muhammad Ahmad Kazmi on the 20th March, 1941.*

#### DISTINCTION AMONGST INDIAN AND EUROPEAN GUARDS AND DRIVERS ON EAST INDIAN RAILWAY IN THE MATTER OF RUNNING ROOM ACCOMMODATION.

(a) Yes. Separate running rooms are provided for European, Hindu and Mohammedan Guards and Drivers.

(b) Not ordinarily. In certain special instances where Indian Guards have adopted the European mode of living they can, with the permission of the Divisional Superintendent, occupy the European Guards Running Rooms.

(c) No separate running rooms are provided for Indian Christian Guards, they can occupy the Mohammedan Guards running rooms or if they have adopted the European mode of living they may occupy the European Guards Running Rooms with the prior sanction of the Divisional Superintendent concerned.

*Information promised in reply to part (b) of starred question No. 472 asked by Mr. Muhammad Azhar Ali on the 22nd March, 1941.*

#### HOUSE RENT ALLOWANCE TO MIGRATORY AND NON-MIGRATORY GOVERNMENT STAFF NOT PROVIDED WITH QUARTERS AT DELHI.

(b) 883

*Information promised in reply to unstarred questions Nos. 178 part (a), 179, 182 parts (b) and (c), 184 part (d), and 186, asked by Mr. Muhammad Azhar Ali, on the 24th March, 1941.*

#### POLICY CONCERNING ALTERATION OF DATE OF BIRTH ON EAST INDIAN RAILWAY.

No. 178.—(a) The reply to the first part is in the negative. The second part does not arise. As regards the third and fourth parts, the rules issued by the Railway Board are contained in paragraph 144 of the State Railway Code, Volume I, as



amended by correction slip No. N2. It is understood that the General Manager was up to now prepared to consider the alteration in the age of literate employees if he was satisfied that an error had occurred, but he is being advised that the Railway Board's intention is that this concession should be restricted to illiterate employees.

### RECORDS OF LEAVE ACCOUNT PRESERVED ON STATE RAILWAYS.

No. 179.—Statement showing the periods for which leave accounts are preserved in State Railways after termination of service of employees.

#### *Eastern Bengal Railway.*

##### *I. Non-gazetted staff.*

- (a) Five years after retirement.
- (b) Three years after death.
- (c) Ten years after resignation or removal from service. } Some of the District Officers preserve the record permanently.
- (d) Kept permanently in cases of dismissal.

##### *II. Gazetted Officers.*

No period of preservation has been laid down, but they are kept for a fairly long time after their retirement.

#### *East Indian Railway.*

No specific orders have been issued prescribing the periods for which the records of subordinate staff should be preserved. Generally speaking they are preserved indefinitely.

#### *G. I. P. Railway.*

Three years after the final settlement of an employee.

#### *North Western Railway.*

##### *I. Gazetted Officers.*

Five years after the Officers' termination of services.

##### *II. (a) Non-gazetted staff except those of the Accounts Branch.*

- (i) Ten years after resignation or discharge or dismissal.
- (ii) Five years after retirement.
- (iii) Three years after death.

##### *(b) Non-gazetted staff (Accounts Branch).*

Five years after termination of service.

### FAILURE TO USE PURE GHEE FOR INDIAN MEALS BY BALLABHDAS ESWARDAS.

No. 182.—(b) and (c). I am informed that this firm was prosecuted by the Howrah Municipality in respect of a complaint relating to the sale of mustard oil and was convicted by the District Magistrate, Howrah. The conviction was upheld by the District Judge but was set aside by the High Court.

### FAILURE TO USE PURE GHEE FOR INDIAN MEALS BY BALLABHDAS ESWARDAS.

No. 184.—In continuation of the reply given to part (d) I understand that on the Great Indian Peninsula Railway Messrs. Ballabhdas Eswardas use Agmark or other pure ghee in the preparation of meals, sweets, etc. On the East Indian Railway this firm uses pure ghee, samples of which are covered by a certificate of purity, usually issued by the Ghee Merchants' Association or by the Grading Laboratory. Government graded ghee in sealed tins is also used to a certain extent.

### MISUSE OF RAILWAY PASSES OVER EAST INDIAN RAILWAY BY BALLABDAS ESWARDAS.

No. 186.—(a) and (b). No; but I understand that a few cases of misuse of passes by the Contractors' servants have been reported by the Ticket Checking staff.

(c) Passes may only be used on business connected with the catering contract.

(d) Passes issued in the names of particular individuals are not transferable.

(e) In all cases of proved misuse, the fare and excess charges due were recovered, and in some cases disciplinary action was taken by the Contractors at the instance of the Administration.

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*Information promised in reply to unstarred question No. 190 asked by Bhai Parma Nand on the 24th March, 1941.*

### INSTRUCTION TO EAST INDIAN AND NORTH WESTERN RAILWAYS TO OBTAIN SUPPLY OF ELECTRODES FROM THE INDIAN FIRM.

(a) and (b). Yes.

(c) Delay was caused by tests which also had to be carried out on electrodes supplied by 21 other firms.

(d) No. Messrs. L. H. Dignum actually supplied Racotex Electrodes on the 9th March 1940, and on the 21st October 1940 the East Indian Railway informed the firm of the result of the test.

(e) No; because there are no grounds for issuing an order in favour of this firm.

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*Information promised in reply to starred question No. 495 asked by Bhai Parma Nand on the 25th March, 1941.*

### POSTPONING TILL AFTER THE WAR OF BUILDING OPERATIONS ON THE DELHI IMPROVEMENT TRUST PLOTS.

(a) Yes.

(b) The Improvement Trust do not contemplate the issue of similar orders as they have experienced no difficulty in finding purchasers under the conditions relating to construction of buildings laid down in the standard lease and in the Trust Resolution No. 71 of the 29th November 1939, an extract from which is laid on the table.

(c) to (f). The Trust have considered the question. General postponement of building operations would seriously interfere with the work of the Trust in relieving congestion and Government do not propose to take the action suggested.

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*Extract from Trust Resolution No. 71, dated the 29th November 1939.*

"1. Failure to erect building by the date stipulated in the lease deed.

*Trust leases.*—In the case of leases sanctioned by the Trust, extensions may be allowed by the Chairman, if applied for, on reasonable grounds, up to a maximum of 12 months, and with the sanction of the Board for a longer period. If the building is not completed within the specified period, or within the period of any subsequent extension or extensions allowed, the right of re-entry may be waived by the Chairman on payment by the lessee of an additional premium at the rate of 3 per cent. of the initial premium paid for the plot for every month up to the maximum of 12 months during which the breach of the above condition continues after the receipt of the notice from the Trust, and in case of continuance of the said breach after the expiry of 12 months the land shall be re-entered. Where no initial premium was paid for the lease of the plot, the premium to be assessed for the purpose of this rule will be the premium at the market rate at the time of the commencement of the lease, for a plot of land of similar description in that locality. Annual ground rent will not be enhanced.

*Information promised in reply to starred question No. 504 asked by Khan Bahadur Shaikh Fazl-i-Haq Piracha on the 25th March, 1941.*

#### RECONSTRUCTION OF THE MOSQUE ON THE CIRCULAR ROAD, NEW DELHI.

During the course of the levelling operations in 1934, a long disused graveyard was uncovered in the area in question. So far as Government are aware the graveyard is of unknown antiquity and in spite of careful enquiries, no evidence has been discovered to show that there is, or ever has been, a regular mosque upon it. The area has been provided with wire fencing and permission given for a custodian to reside at the graveyard under arrangements to be made by the Jama Masjid Committee to whom the area is leased on an agreement. No application has been received for the reconstruction of the mosque and since there is no indication that a mosque ever existed on the site, the question of its reconstruction does not arise.

*Information promised in reply to starred question No. 505 asked by Maulvi Muhammad Abdul Ghani on the 25th March, 1941.*

#### PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

(a) The percentage of Muslims in April 1933 in the category "veterinary staff" which consists of Veterinary Inspectors and Dressers was 45.7 per cent. The percentage in that category excluding dressers was 9.1 in 1933 and 26.6 per cent. in November 1940.

(b) The statement furnished in reply to question No. 141 (b) applied only to permanent appointments filled by direct recruitment. The model rotation prescribed by Government is followed in filling the vacancies but a common roster is maintained for both permanent and temporary appointments. It is proposed to fill the next two permanent vacancies by Muslims so that they will have had 10 out of the 40 vacancies filled by direct recruitment since 1934.

(c) Does not arise.

(d) Yea.

(e) In the letter referred to it was stated that the sanctioned strength of the ministerial staff was 46 of whom 8 were Muslims, 6 being employed in a substantive capacity. In November 1940, 9 out of 46 were Muslims and out of these nine 7 were permanent.

*Information promised in reply to unstarred questions Nos. 205, 206, and 207 asked by Mr. Umar Aly Shdh on the 25th March, 1941.*

#### PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

No. 205.—(a) to (c). There are no unqualified clerks.

(d) Not when the former incumbent continues in the post.

(e) No.

(f) to (i). Do not arise.

(j) and (k). Promotions are made on the basis of merit and seniority.

(l) Does not arise.

(m) The answer to the first part is in the affirmative and to the second part in the negative. As far as Government are aware the orders have not been contravened.

#### MUSLIM PERCENTAGE IN THE IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH SCHEMES.

No. 206.—Four.

### PERMANENT MUSLIM VETERINARY INSPECTORS IN THE IMPERIAL VETERINARY RESEARCH INSTITUTE.

No. 207.—One. The post was filled by the promotion of an officer who had been continuously in Government Service since September 1926 and had been officiating as a veterinary inspector before the orders referred to came into operation.

*Information promised in reply to starred question No. 509 asked by Maulvi Muhammad Abdul Ghani on the 27th March, 1941.*

### OFFICERS RESIGNING COMMISSIONS IN THE 12TH AND 13TH MALABAR BATTALIONS, INDIAN TERRITORIAL FORCE.

(a) 31st October 1938.

(b) Senior Grade Officers.

|                        |     |     |     |     |   |
|------------------------|-----|-----|-----|-----|---|
| 12th Malabar Battalion | ... | ... | ... | ... | 1 |
| 13th Malabar Battalion | ... | ... | ... | ... | 4 |

One officer gave no reasons. Four resigned for private reasons, which in one case were mainly medical, and in another financial.

Junior Grade Officers.

|                        |     |     |     |     |   |
|------------------------|-----|-----|-----|-----|---|
| 12th Malabar Battalion | ... | ... | ... | ... | 2 |
| 13th Malabar Battalion | ... | ... | ... | ... | 3 |

Two officers resigned for private reasons, two in order to secure other employment and 1 as a conscientious objector.

(c) Three. Two officers who were adversely reported on were asked by the Commandant to consider the advisability of resignation if they felt that private affairs had prevented them from doing their best. The third officer was passed over twice as unfit to command a Company and the Commandant suggested voluntary resignation to avoid his continuing to serve under officers junior to him.

(d) No. One officer however subsequently petitioned for reinstatement.

(e) The percentage of resignations for Senior Grade Officers is slightly above average in one battalion and below average in the other. The percentage for Junior Grade Officers is below average in both battalions. No special reasons need therefore be assigned.

(f) The Head Clerk was discharged as, owing to his age, he was unable to cope with the growing pressure of work. The clerk who was recruited in his place however proved inefficient, unreliable and unsuitable and resigned at a time when the battalion was under orders to leave for a new station. As no other suitable clerk was immediately available, the original Head Clerk was reinstated.

(g) 127 men were provisionally selected from Travancore by the Commandant in August 1940, but a number of them withdrew their names and their places were taken by others whom the Commandant had no opportunity to inspect until the draft reached Bangalore. A number of them were found unsuitable and had to be returned to Travancore at State expense.

(h) An enquiry has been instituted and has disclosed the facts mentioned above.

*Information promised in reply to starred question No. 513 asked by Mr. Govind V. Deshmukh on the 27th March, 1941.*

### THEFTS AND BURGLARIES IN NEW DELHI.

(a) and (b). Two Statements giving the desired information are laid on the table.

(c) and (i). The area most affected by burglaries was the residential area occupied by clerks and other Government subordinates in the vicinity of Reading Road. For bicycle thefts the worst area was Connaught Circus and its vicinity. Petty miscellaneous thefts were fairly generally distributed. The reasons for the large number of petty thefts in New Delhi have been explained in the replies to former questions in:

this Assembly. Among them may be mentioned the presence in New Delhi of large numbers of casual labourers employed on building work and the like, and the extraordinary carelessness of some householders in engaging low paid servants without any attempt to verify their antecedents. As regards remedial measures, the Reading Road area is already patrolled by the police on a scale greatly above that which is usual in urban areas, but the question of entertaining still more police to intensify patrolling is under consideration. A separate police station with headquarters in Tughlak Road has been started with effect from the 1st March, 1941, in order to relieve the New Delhi Police station of the responsibility for the portion south of the Central Vista, and thus enable the staff of the older station to concentrate on the prevention and detection of crime in the areas in which it is most prevalent. The staff of New Delhi Police Station has also been increased by 3 assistant sub-inspectors and 8 constables for investigation duties.

(d) The number of thefts, etc., was as follows :—

|                              | 397 I.P.C. | 380 I.P.C. | 381 I.P.C. | 454 I.P.C. | 457 I.P.C. |
|------------------------------|------------|------------|------------|------------|------------|
| 1940                         | 5          | 5          | 4          | 35         | 19         |
| 1941                         | ..         | 1          | 2          | 5          | ..         |
| (up to the end of February). |            |            |            |            |            |

(e) The Honourable Member is presumably referring to two cases of burglary, involving the loss of ornaments, etc., valued at Rs. 4,895 from a house on Irwin Road, and the loss of Rs. 3,602 from a house on Circular Road. These cases occurred on the 15th and 17th February and were under investigation when the question was asked.

(f) No. There is certainly no justification for any general feeling of insecurity.

(g) In August 1940 two representations were received from tenants of quarters on the Reading Road complaining that police arrangements were inadequate and that their quarters were easily accessible to thieves and burglars from the jungle on the ridge. They suggested that till suitable protective measures could be adopted, they might be allotted quarters elsewhere. Their requests could not be accepted as Government could not leave the quarters untenanted. But it is open to the tenants to apply for an exchange of quarters under the rules.

(h) Representations have been made by Government subordinates from time to time that the police patrolling staff should be increased, but as I have said in reply to part (c) of the question, the patrolling staff in the areas concerned is already considerably in excess of the normal scale.

(j) There is no Branch of the Delhi Criminal Investigation Department as there is in the Provinces, for the investigation of ordinary crime, but a small Central Investigating Agency has been formed from the existing strength of the Delhi Police to investigate ordinary crime, and the question of employing extra police officers for this purpose is under consideration.

*Part (a) Statement showing the number of thefts and burglaries committed in the jurisdiction of the New Delhi Police Station month by month in 1940 and 1941 up to the end of February.*

| (A) 1940.   | 379<br>I. P. C. | 380<br>I. P. C. | 381<br>I. P. C. | 454<br>I. P. C. | 457<br>I. P. C. |
|-------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| January     | 46              | 5               | 4               | 2               | 7               |
| February    | 34              | 5               | 2               | 5               | 8               |
| March       | 18              | 4               | 2               | 3               | 4               |
| April       | 22              | 4               | 3               | 4               | 5               |
| May         | 21              | 3               | 3               | 5               | 4               |
| June        | 14              | 3               | 5               | 6               | 6               |
| July        | 16              | 8               | 2               | 6               | 6               |
| August      | 20              | 7               | 5               | 4               | 4               |
| September   | 18              | 8               | ..              | 7               | 5               |
| October     | 27              | 12              | 6               | 9               | 4               |
| November    | 29              | 7               | 4               | 4               | 6               |
| December    | 39              | 11              | 2               | 4               | 5               |
| Total       | 304             | 77              | 38              | 59              | 64              |
| GRAND TOTAL | ..              | ..              | ..              | ..              | 542             |

| (A) 1940.   | 379<br>I.P.C. | 380<br>I.P.C. | 381<br>I.P.C. | 454<br>I.P.C. | 457<br>I.P.C. |
|-------------|---------------|---------------|---------------|---------------|---------------|
| 1941—       |               |               |               |               |               |
| January     | 22            | 12            | 5             | 4             | 5             |
| February    | 20            | 9             | 5             | 7             | 5             |
| Total       | 42            | 21            | 10            | 11            | 5             |
| GRAND TOTAL |               |               |               |               | 89            |

Part (b)—Statement\* showing all cases of theft and burglary in the jurisdiction of New Delhi Police Station during 1940 and the first two months of 1941, showing the culprits convicted and the value of property recovered.

*Information promised in reply to parts (b) to (i) of starred question No. 514 asked by Dr. Sir Ziauddin Ahmad (on behalf of Khan Bahadur Shaikh Fazl-i-Haq Piracha) on the 27th March, 1941.*

#### ALLEGED MISUSE OF CERTAIN POWERS UNDER THE INCOME-TAX ACT BY THE INCOME-TAX AUTHORITIES.

(b) I presume that the Honourable Member is referring to offers of composition under section 53. The number of such offers made by the Inspecting Assistant Commissioner, Delhi, during 1940-41 is 16.

(c) and (e). \*Government are aware that some complaints have been received but have no reason to believe that they are well founded.

(d) The compounding fee varies in different cases in accordance with the seriousness of the offence and the total amount of tax evaded.

(f) I would invite the attention of the Honourable Member to the provisions of section 53.

(g), (h) and (i). Government see no need for any alteration in the existing law or procedure. Composition is only offered as an alternative and the assessee is in no way bound to accept the terms proposed by the department. It is always open to him to have his case tried by the appropriate court and if he adopts this course he has the usual rights of appeal.

*Information promised in reply to part (c) of starred question No. 518 asked by Maulvi Muhammad Abdul Ghani (on behalf of Mr. H. A. Sathar H. Essak Sait) on the 28th March, 1941.*

#### MUSLIM OFFICERS EMPLOYED BY THE CALCUTTA, MADRAS, BOMBAY AND KARACHI PORT TRUSTS.

(c) During the years 1924-25 to 1939-40, there were 15 direct recruitments made at Madras in the grades of officers holding posts with a maximum salary of Rs. 500 per mensem and above, 49 at Bombay and 22 at Karachi. There were no direct Muslim recruits at Madras but there were 2 at Bombay and 1 at Karachi.

\* Not included in these Debates, but a copy has been placed in the Library of the House.—Ed. of D.

*Information promised in reply to parts (b), (c), (d) and (f) of starred question No. 523 asked by Mr. Amarendra Nath Chattopadhyaya on the 28th March, 1941.*

**PAUCITY OF INDIANS IN THE SUPERIOR ESTABLISHMENT OF STATE RAILWAY PRESSES.**

(b) and (c). One permanent and three officiating vacancies occurred. These were filled by the promotion of suitably qualified subordinates.

(d) As these vacancies were filled by promotion it was not necessary to advertise.

(f) The appointments were made within the service in which case no question of communal or racial reservation arises.

*Information promised in reply to part (a) of starred question No. 527 asked by Sir Syed Raza Ali, on the 29th March, 1941.*

**PAUCITY OF MUSLIMS IN THE STAFF OF THE IMPERIAL VETERINARY RESEARCH INSTITUTE.**

The increase in the percentage of Muslims was due to the following causes—

*Clerical staff.*—One Muslim officiating since 1930 was confirmed in 1934 and one was taken from another department in the same year.

*Other staff.*—One Muslim was transferred from another department in 1934.

*Farm staff.*—One Muslim was transferred from the clerical staff.

These appointments were not included in the statement furnished in reply to starred question 141 (b) which related only to permanent appointments filled by direct recruitment.

*Information promised in reply to part (b) of starred question No. 540 asked by Bhai Parma Nand, on the 29th March, 1941.*

**WIREMEN IN THE ELECTRICAL AND PROVINCIAL DIVISIONS, CENTRAL PUBLIC WORKS DEPARTMENT.**

|          |         |                  |
|----------|---------|------------------|
| (b) (i)  | Nil.    |                  |
| (b) (ii) | Number. | Increase of pay. |
|          |         | Rs. a.           |
|          | 26      | 3 0 each.        |
|          | 12      | 1 0 each.        |
|          | 7       | 2 0 each.        |
|          | 4       | 2 8 each.        |
|          | 1       | 4 0              |

*Information promised in reply to starred questions No. 548, 549, 553 and 554, asked by Mr. Amarendra Nath Chattopadhyaya on the 29th March, 1941.*

**BUILDING PLANS SANCTIONED BY THE DELHI IMPROVEMENT TRUST.**

No. 548.—(a) to (d). The value of the information asked for by the Honourable Member would not be commensurate with the time and labour involved in its compilation.

(e) No. All plans are scrutinized by the Superintending Engineer, the Chief Health Officer and the Chairman and are approved or rejected in accordance with the scrutiny reports.

(f) No.

(g) No. The Trust are only responsible for administering the relevant sections of the Punjab municipal law and the by-laws framed thereunder, and not for preparing building plans.

(h) No. Government see no justification for an enquiry.

#### CASE AGAINST ONE MR. MUL CHAND BY THE DELHI IMPROVEMENT TRUST.

No. 549.—(a) Yes. The prosecution, however, was not on account of deviations in a building but for unauthorised construction.

(b), (c) and (d). Yes.

(e) 97.6.

(f) No. The fact that the conviction was upset in one case affords no basis for inferring that the convictions in the other cases were not justified.

#### OPENING OF THE PUBLIC LATRINES BUILT IN KAROL BAGH, DELHI.

No. 553.—(a) and (c). The Delhi Municipal Committee has recently agreed to take over and operate the new services provided by the Delhi Improvement Trust, and the latrines not already brought into use will be opened shortly.

(b) No. Conditions in Karol Bagh have been materially improved by the operations of the Trust.

(d) The locality is receiving the special attention of the Delhi Improvement Trust.

#### COMPLAINTS AGAINST THE CHAUKIDAR AT THE BHULI BHATIARI TANK, DELHI.

No. 554.—(a) and (b). Two complaints are reported to have been received by the P. W. D., one in October 1938 and the other in November 1940. The first complaint was from a Police Head Constable who quarreled with the chowkidar because the latter prevented him from bathing in the reservoir which is dangerous for bathing; in fact a drowning fatality occurred in it in 1933. The second complaint was made by two persons who also are reported to have attempted to bathe in the tank. Bathing in the reservoir is prohibited and it is the chowkidar's duty to keep out trespassers.

(c) No, he is an ex-soldier with an excellent service record.

(d) Does not arise.

*Information promised in reply to starred question No. 558 asked by Mr. Amarendra Nath Chattopadhyaya on the 31st March, 1941.*

#### SPECIAL POLICE OFFICERS IN THE DELHI CITY.

(a) The witness to whom the words of the Court referred to were applied in the Judgment was not, and never had been, a special police officer, nor did the judgment suggest that he was one;

(b) It is not a fact that special police officers are invariably used as search and prosecution witnesses in Crown cases by the Police in Delhi;

(c), (d) and (e). As part (a) of the Hon'ble Member's question appears to have been based on a misunderstanding, it is presumed that he will not require the information asked for in these parts of the question. But with reference to parts (d) and (e) it may be noted that it will probably be unnecessary for some time to appoint persons as special police officers, since the services of the Civic Guard are now available for that purpose.



*Information promised in reply to starred question No. 560 asked by Mr. Akhil Chandra Datta on the 31st March, 1941.*

# LICENSES FOR PREPARATION OF AYURVEDIC MEDICINES FROM NATURAL FERMENTED INGREDIENTS IN DELHI.

- (a) No rules of the kind mentioned have been framed for Delhi Province.
- (b) Government do not think that the absence of such rules is detrimental to the proper development of the Ayurvedic system of medicine.
- (c) Government have seen the rules in force in Bengal but have no information as regards Bihar.
- (d) The Majumdar Ayurvedic Pharmaceutical Works, New Delhi applied for permission to prepare certain Ayurvedic medicines by distillation but, since the Pharmacy were not prepared to bear the entire cost of the special excise staff, the Deputy Commissioner rejected the application.
- (e) Government do not think it desirable to issue instructions for the grant of such licences.
- (f) Government are informed that both Mahuwa wine and Ganja are used as ingredients in some Ayurvedic medicines.
- (g) The import of Mahuwa wine and Ganja into Delhi is prohibited. Delhi follows the Punjab in the matter of excise policy and rules. Government have no information about other Provinces.
- (h) Not at present.

*Information promised in reply to starred question No. 564 asked by Mr. Muhammad Azhar Ali on the 31st March, 1941.*

## THEFTS AND BURGLARIES IN NEW DELHI.

(a) The number of thefts and burglaries in the jurisdiction of New Delhi and Tughlak Road Police Stations, (the latter was opened on the 1st March, 1941) reported during the period from the 11th February to the 20th March, 1941, was as follows :

| Thefts.     |             |            | Burglaries. |            | Total. |
|-------------|-------------|------------|-------------|------------|--------|
| 179 I.P.C., | 380 I.P.C., | 381 I.P.C. | 454 I.P.C., | 457 I.P.C. |        |
| 22          | 9           | 3          | 11          | 5          | 50     |

(b), (c), (d) and (e). A statement giving the desired information is laid on the table.

(f) In sixteen of the cases the thefts or burglaries were from premises which were at the time vacant.

(g) None.

(h) I have already, in replies to other questions, explained the special conditions which facilitate crime in New Delhi and the action that is being taken.

(i) All the cases reported during the period in question, if not already sent for trial, were, at the time the information was collected, still under investigation and every effort was being made by the police to trace the culprits and recover the stolen property. Property to the value of Rs. 1,598-0-3 had already been recovered in ten cases.

(j) Eight persons had at the time the information was collected been arrested in connection with these thefts and burglaries.

*Statement showing thefts and burglaries committed in the jurisdiction of New Delhi and Tughlak Road Police Stations from the 11th February to the 20th March, 1941, including the places, date and time of occurrence, the time during which the premises were vacant, and the nature and value of the property stolen and recovered.*

| F. I. R. No.                     | Section. | Place of offence.                             | Date.       | Time of offence.                  | Time during which the premises remained vacant. | Number of packages taken.   | Property recovered.  |
|----------------------------------|----------|---|-------------|-----------------------------------|---|---|----------------------|
| <i>New Delhi Police Station.</i> |          |   |             |                                   |   |   |                      |
| 74                               | 457      | B. Block, Connaught Place                     | 10/11-2-41. | Between 9-0 P.M. and 9-0 A.M.     | 10-0 P.M. to 9-0 A.M.                           | Isolated articles taken from show cases of shop, value Rs. 3,417.     |                      |
| 75                               | 380      | 3, Barakamba Road                             | 11-2-41     | 7-0 A.M.                          | ..  | One iron rod, Re. 1   | One iron rod, Re. 1. |
| 78                               | 454      | 85, Market Road                               | 11-2-41     | Between 11-45 A.M. and 12-15 P.M. | 11-45 A.M. to 12-15 P.M.                        | Two packages, value Rs. 16  | ..                   |
| 81                               | 380      | Bengali Mall Market.                          | 14-2-41     | 12-30 P.M.                        | ..  | Cash Rs. 21-9-3 stolen from shop.                                     | Rs. 2-3-3.           |
| 82                               | 454      | 40-C, Irwin Road                              | 15-2-41     | Between 1-0 P.M. and 2-0 P.M.     | 1-0 P.M. to 4-0 P.M.                            | Cash and ornaments valued at Rs. 4,895. Number of packages not known. | ..                   |
| 83                               | 454      | 4, Telegraph Chambers, Atul Grove.            | 15-2-41     | Between 12-30 P.M. and 3-30 P.M.  | 7-0 A.M. to 3-0 P.M.                            | One package clothes Rs. 60.   | ..                   |
| 85                               | 379      | Amrao Singh Bhawan, Connaught Place.          | 16-2-41     | Between 11-15 A.M. and 12-15 P.M. | Theft from open place.                          | One bicycle Rs. 50  | ..                   |
| 86                               | 379      | Near R. S. Bhole Ram's shop, Connaught Place. | 16-2-41     | Between 11 and 11-30 A.M.         | Do.   | One bicycle Rs. 40  | Rs. 40.              |
| 87                               | 454      | Harcourt Butler High School, Reading Road.    | 16-2-41     | 1-30 P.M.                         | 4-0 P.M. to 1-30 P.M. on 16-2-41                | Cups and Stationary, Rs. 150  | ..                   |

| F. I. R. No. | Section. | Place of offence.   | Date.      | Time of offence.                    | Time during which the premises remained vacant. | Number of packages taken.            | Property recovered. |
|--------------|----------|---|------------|-------------------------------------|---|--------------------------------------|---------------------|
| 87           | 424      |   |            |                                     |   |                                      |                     |
| 88           | 379      | Salvation Army Hostel near Connaught Circus.              | 14-2-41    | Between 6-0 P.M. and 6-0 A.M.       | Theft from open place.                          | One bicycle Rs. 30                   | ..                  |
| 89           | 379      | Cycle Stand, Army Headquarters, South Block, Secretariat. | 18-2-41    | Between 9-0 A.M. and 1-0 P.M.       | Theft from open place.                          | One bicycle Rs. 66                   | ..                  |
| 90           | 379      | 34, Asoka Road  | 18-2-41    | Between 10-30 P.M. and 12 Midnight. | Theft from open place.                          | Clothes Rs. 39-12                    | ..                  |
| 91           | 380      | 27, Aurangzeb Road.                                       | 19-2-41    | Between 10-0 A.M. and 12 Noon.      |   | Rs. 40.                              | ..                  |
| 92           | 379      | Messrs. Kitson's Ltd., Connaught Place.                   | 20-2-41    |                                     |   | Rs. 35.                              | ..                  |
| 93           | 379      | South Block, Secretariat                                  | 20-2-41    | Between 10-0 A.M. and 5-0 P.M.      | Theft from open place.                          | Bicycle Rs. 15.                      | ..                  |
| 94           | 457      | K. Block, Connaught Circus                                | 20/21-2-41 | Between 10-0 P.M. and 9-0 A.M.      | 10-0 P.M. to 9-0 A.M.                           | Miscellaneous stationary Rs. 129-6.  | ..                  |
| 95           | 457      | 18, Akbar Road  | 23-2-41    | 1-45 A.M.                           |   | One package clothes and cash Rs. 25. | ..                  |
| 96           | 379      | Plaza Building, Connaught Circus.                         | 23-2-41    | 5-45 A.M.                           | Theft from open place.                          | One bicycle Rs. 35                   | ..                  |
| 97           | 380      | 1, Windsor Place  | 23-2-41    | Not known                           |   | One package clothes Rs. 80           | ..                  |
| 98           | 379      | Cycle Stand, Army Headquarters, South Block Secretariat.  | 22-2-41    | Between 3 and 4 P.M.                | Theft from open place.                          | One bicycle Rs. 35                   | Rs. 35.             |
| 99           | 381      | 4, Foch Square  | 24-2-41    | 7-0 A.M.                            |   | Cash and watch Rs. 27-8              | ..                  |

|     |     |  |             |                                  |                         |   |         |
|-----|-----|--|-------------|----------------------------------|-------------------------|---|---------|
| 107 | 379 | North Block, Secretariat                   | 23/24-2-41. | Between 6-0 P.M. and 9-0 A.M.    | Theft from open place.  | One bicycle Rs. 30                      | Rs. 30. |
| 108 | 380 | 1, Ratendone Road                          | 25-2-41     | Between 11-30 A.M. and 1 P.M.    | ..                      | Alarm Clock Rs. 40                      | ..      |
| 109 | 379 | 5, York Road                               | Not known   | Not known                        | Theft from open place.  | One brass lock Re. 1.                   | ..      |
| 112 | 454 | 3, Telegraph Square                        | 1-3-41      | Between 11-0 A.M. and 4-30 P.M.  | 11-0 A.M. to 4-30 P.M.  | Two packages clothes, utensils Rs. 148. | ..      |
| 113 | 379 | Prem House, Connaught Circus.              | 2-3-41      | Between 11-0 A.M. and 12 NOON,   | Theft from open place.  | One bicycle Rs. 40                      | ..      |
| 114 | 381 | Rabid Dyers and Cleaners, Connaught Place. | 2-3-41      | 5-0 P.M.                         | ..                      | Cash Rs. 200                            | ..      |
| 116 | 381 | 4, Hailey Road                             | 2/3-3-41    | Between 9-0 P.M. and 9-0 A.M.    | ..                      | One package, clothes, Rs. 25            | ..      |
| 118 | 380 | 1, Jai Singh Road                          | 5-3-41      | 6-0 A.M.                         | ..                      | Revolver and cartridges Rs. 150.        | ..      |
| 119 | 457 | 382, Peons Quarters, Punch-kuin Road.      | 6-3-41      | 11-30 P.M.                       | ..                      | No loss.                                | ..      |
| 120 | 379 | New Asiatic Building, Connaught Circus.    | 4-3-41      | Between 7-30 P.M. and 8 P.M.     | Theft from open place.  | One bicycle Rs. 40                      | ..      |
| 121 | 454 | 55, Hanuman Road                           | 7-3-41      | Between 11-0 A.M. and 3-0 P.M.   | 11-0 A.M. to 3-0 P.M.   | Two packages clothes Rs. 221-2.         | ..      |
| 123 | 379 | Flat No. 31, G Block, Connaught Circus.    | 10-3-41     | 8-0 P.M.                         | Theft from open place.  | One bicycle Rs. 40                      | ..      |
| 125 | 454 | T-B4, Market Road                          | 11-3-41     | Between 11-30 A.M. and 3-30 P.M. | 11-30 A.M. to 3-30 P.M. | One package, clothes, Rs. 150.          | ..      |
| 127 | 379 | D. Block, Connaught Place                  | 11-3-41     | 11-0 A.M.                        | Theft from open place.  | One bicycle Rs. 25                      | ..      |

| F. I. R. No. | Section. | Place of offence.  | Date.       | Time of offence.                | Time during which the premises remained vacant. | Number of packages taken.                                 | Property recovered. |
|--------------|----------|--|-------------|---------------------------------|---|---|---------------------|
| 128          | 380      | Raja Akbar Ali Block, Con-naught Circus.                   | 12-3-41     | Between 10-15 A.M. and 6-0 P.M. | 10-15 A.M. to 6-0 P.M.                          | One package, clothes and time-piece Rs. 73.               | ..                  |
| 129          | 380      | Stateaman, Peon's Quarters, Connaught Place.               | 13-3-41     | Between 9-0 A.M. and 9-30 A.M.  | 9-0 A.M. to 9-30 A.M.                           | Cash Rs. 80   | ..                  |
| 130          | 379      | M. B. High School, Reading Road.                           | 16-3-41     | Between 11 P.M. and 3 A.M.      | Theft from open place.                          | Small tent Rs. 40   | ..                  |
| 131          | 454      | 6, Baird Road  | 17-3-41     | Between 6 A.M. and 7 P.M.       | 6 A.M. to 7 A.M.                                | Two packages, Singer Sewing Machine and clothes, Rs. 200. | ..                  |
| 132          | 379      | Lakshmi Narain Temple, Reading Road.                       | 17-3-41     | Between 4 P.M. and 6 P.M.       | Theft from open place.                          | 1 bicycle Rs. 25  | ..                  |
| 133          | 379      | Improvement Trust Office, Regal Building, Connaught Place. | 18-3-41     | 7 A.M.                          | Theft from open place.                          | 1 bicycle Rs. 25  | ..                  |
| 134          | 379      | Connaught Place  | 19-3-41     | 10-30 A.M.                      | Theft from open place.                          | 2 bicycles Rs. 70   | ..                  |
| 135          | 379      | Bholi Bhatnari Reservoir                                   | 19-3-41     | Not known                       | Theft from open place                           | 7 cart loads of stone Rs. 1,120.                          | Rs. 1,120.          |
| 136          | 379      | Harcourt Butler High School, Reading Road.                 | 19-3-41     | Between 11-15 A.M. and 2 P.M.   | Theft from open place.                          | 1 bicycle Rs. 25  | ..                  |
| 137          | 379      | Connaught Place, Opposite Rivoli Cinema.                   | 18/19-3-41. | Between 8 P.M. and 6 A.M.       | Theft from open place.                          | 1 bicycle Rs. 25  | ..                  |
| 138          | 457      | Lakshmi Restaurant, Con-naught Circus.                     | 19/20-3-41. | Between 11 P.M. and 7 A.M.      | 11 P.M. to 7 A.M.                               | Cash Rs. 68-6   | ..                  |

|                                     |     |                                  |         |                                  |                         |  |    |
|-------------------------------------|-----|----------------------------------|---------|----------------------------------|-------------------------|--|----|
| 139                                 | 380 | Chummary No. 2, Alexandra Place. | 20-3-41 | Between 11-30 A.M. and 1 P.M.    | ..                      | 1 package, clothes Rs. 50 .                        | .. |
| 140                                 | 454 | 13-D., Diaz Square               | 20-3-41 | Between 10-15 A.M. and 4-15 P.M. | 10-15 A.M. to 4-15 P.M. | 1 package, clothes Rs. 323.                        | ?  |
| <i>Tughlaq Road Police Station.</i> |     |                                  |         |                                  |                         |  |    |
| 1                                   | 454 | Imperial Delhi Gymkhana Club.    | 3-3-41  | Between 2 P.M. and 4-45 P.M.     | 2 P.M. to 4-45 P.M.     | Wrist watch and note book with G. C. notes Rs. 50. | .. |
| 4                                   | 454 | 3, Akbar Road.                   | 14-3-41 | Between 9-30 A.M. and 6-45 P.M.  | 9-30 A.M. to 6-45 P.M.  | 1 package, Cash and ornaments Rs. 500.             | .. |

*Information promised in reply to parts (a), (b), (c), (d) and (e) of starred question No. 566 asked by Maulvi Syed Murtuza Sahib Bahadur on the 1st April, 1941.*

#### DIFFERENTIAL TREATMENT TO 1925 NORTH WESTERN RAILWAY STRIKERS.

(a) Government are informed that some of the staff on the North Western Railway struck work in March 1925, at which time the law contained no provision relating to illegal strikers. As the strike took place 16 years ago it is not possible, without spending considerable time and labour, to ascertain how many of the staff who did not return to duty by 15th July 1925 belonged to the Rawalpindi Division. The break in service of those who were re-appointed after 15th July 1925 and who applied for the condonation of such breaks, were condoned for the purpose of gratuity provided they fulfilled the conditions for such condonation. Those who returned to duty before 15th July 1925, were treated as reinstated and were allowed to retain their previous seniority, but those who joined after that date were treated as new entrants and were therefore not given their original seniority.

(b) Ex-strikers of the Great Indian Peninsula Railway who reported for duty before the 17th March 1930 were treated as reinstated when subsequently absorbed on the North Western Railway. The refunding of Provident Fund money and gratuity was not insisted on as a condition precedent to their service being treated as continuous. Ex-strikers of the Great Indian Peninsula Railway who reported for duty after the 17th March 1930 were not reinstated but only re-employed.

(c) Does not arise in view of the replies to parts (a) and (b). “

(d) The reply to the first part is in the affirmative. As regards the latter part owing to certain difficulties in recovering by monthly instalments through salary bills the staff concerned were required to pay in a lump sum in cash. Those who were unable to pay in a lump sum were allowed to pay by monthly instalments in cash.

(e) There would appear to be no sufficient case for a review of the orders.

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*Information promised in reply to starred question No. 573 asked by Maulvi Muhammad Abdul Ghani on the 1st April, 1941.*

#### DISREGARD OF CLAIMS OF MUSLIMS IN THE OFFICE OF THE DIVISIONAL SUPERINTENDENT, NORTH WESTERN RAILWAY, FEROZEPORE.

(a) to (e). I understand that the Selection Board asked candidates who appeared before it to answer a few written and a few oral questions. There would appear to be no ground for the suggestion that this step was influenced by any communal considerations; the President of the Board was a Muslim Officer.

(f) The figures given are correct.

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*Information promised in reply to starred question No. 574 asked by Dr. Habibur Rahman on the 1st April, 1941*

#### CASE OF A MILITARY SEPOY FOUND TRAVELLING IN IRREGULAR MANNER AT KIUL RAILWAY STATION, EAST INDIAN RAILWAY.

(a) Yes.

(b) He was detected travelling in a higher class than that for which he had a ticket, and in a train by which he was not entitled to travel. He had exchanged his warrant for a ticket.

(c) He was requested to pay the difference between inter and third class fares plus penalty and on his refusal to do so, details of his ticket were noted so that the matter could be reported to the military authorities.

(d) Yes. The charge against the Chief Inspector was subsequently withdrawn.

STATEMENT MADE BY THE HONOURABLE THE PRESIDENT  
REGARDING THE INTRODUCTION OF A SECOND ROUND FOR  
STARRED QUESTIONS.

**Mr. President** (The Honourable Sir Abdur Rahim): [It will be within the recollection of Honourable Members that during recent Sessions requests were made to me on several occasions that inasmuch as there was still question-time, those Members who had come after their questions had been passed over, might be permitted to ask them. In view of the general desire among non-official Members that, if there is still time, those who come late may be given one more opportunity to ask their questions, I have considered the matter, bearing in mind the provisions of Standing Orders 10 and 17; and in future I propose to adopt the practice followed in the British House of Commons where, if time allows, questions that have not been answered in the first round are called a second time. I also propose to adopt the House of Commons practice in this connection in its entirety, *that is to say*, in future those Members who hold authority to put questions of other Members will be permitted to do so in the second round only, and in the first round only those Members who have questions in their names and are actually present in the House, will be allowed to ask their questions. I trust that this change in practice will not act as an inducement to Members to come late during the question-hour.]

**Pandit Lakshmi Kanta Maitra**: Will you kindly order, Sir, that a copy of the announcement which you just now made be given to all the Members.

**Mr. President** (The Honourable Sir Abdur Rahim): Yes. That will be done.

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MOTIONS FOR ADJOURNMENT.

INDO-BURMA IMMIGRATION AGREEMENT.

**Mr. President** (The Honourable Sir Abdur Rahim): Motion for Adjournment. The first motion stands in the name of Mr. Akhil Chandra Datta. He wishes to ask for the adjournment of the House "to consider a definite matter of urgent public importance, *viz.*, the Indo-Burma Immigration Agreement".

**Mr. Akhil Chandra Datta** (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): There is a Resolution coming day after tomorrow, and, therefore, I do not propose to move this motion.

**Mr. President** (The Honourable Sir Abdur Rahim): A Resolution on the subject is put down for 29th, and so this cannot be moved.

The second\* motion for adjournment is in the name of Sir Abdul Halim Ghuznavi and it has exactly the same effect, and so it cannot be moved.

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\* "I beg leave to make a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance of recent occurrence, namely, the conclusion of a highly unsatisfactory and inequitable Indo-Burma Immigration Agreement."



[Mr. President.]

The third\* and fourth† motions are to the same effect. They cannot be moved.

#### EXPANSION OF THE EXECUTIVE COUNCIL AND THE ESTABLISHMENT OF THE NATIONAL DEFENCE COUNCIL.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion for adjournment is in the name of Mr. Govind V. Deshmukh. He wants:

"That the business of the Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the inadequacy of such measures as the recent expansion of the Executive Council and the establishment of the National Defence Council to increase further war efforts unless accompanied by the release of all political prisoners and detenus and a declaration that India will enjoy the same freedom as Britain or the Self-Governing Dominions within two or three years after the War."

There seems to be two distinct questions which the Honourable Member wants to discuss, firstly the present composition of the Executive Council and the establishment of the National Defence Council, and secondly the release of political prisoners and also the question of Dominion Status.

**Mr. Govind V. Deshmukh** (Nagpur Division: Non-Muhammadan): I am merely emphasizing in the adjournment motion the inadequacy of the measures to increase further war efforts. That is the sole point. The rest incidentally follows.

**Mr. President** (The Honourable Sir Abdur Rahim): Which is the question which the Honourable Member wants to discuss?

**Mr. Govind V. Deshmukh**: While dealing with the inadequacy of the measures, I would certainly deal with the expansion of the Executive Council or the establishment of the National Defence Council, and so on.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member's point is that unless something else is done, the war measures cannot have any effect.

**Mr. Govind V. Deshmukh**: These are not adequate. What is to be done is that the political prisoners should be released; that alone will not satisfy. What I mean to say is that the cumulative effect of the steps suggested by me would lead to satisfactory war effort.

**Mr. President** (The Honourable Sir Abdur Rahim): The difficulty is that this question of release of political prisoners is not a recent matter

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\*"The Assembly do adjourn to discuss a definite matter of urgent public importance, viz., the failure of the Government of India to protect the rights and interests of the Indians as revealed in the Indo-Burma Immigration Agreement of 1941."

†"The Assembly do adjourn to discuss a definite matter of urgent public importance, viz., the failure of the Government of India to consult public opinion and to publish the Baxter Committee report before entering into the Indo-Burma Immigration Agreement of 1941 and to protect the legitimate rights and interests of the Indian people in the said Agreement."

†"This Assembly do adjourn its business to discuss a definite matter of urgent public importance, namely: the unsatisfactory and discriminating terms\* of the recently signed Indo-Burma Immigration agreement"

within the meaning of the rules nor urgent in that sense. And there is the question of declaration of Dominion Status for India which is also a very old question. The Honourable Member cannot lump up questions of that character with the composition of the Executive Council and the National Defence Council, for whatever reasons. I hold that this is out of order.

**Mr. Govind V. Deshmukh:** I may say that this is a very urgent matter, because all over India there is a demand for an immediate and specific declaration as regards Dominion Status to be attained within a short period of two years or so after the war.

**Mr. President** (The Honourable Sir Abdur Rahim): That is a very old question and there must be other means of raising it.

**Mr. Govind V. Deshmukh:** It has assumed new importance, and, therefore, it is urgent.

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RELEASE OF POLITICAL PRISONERS AND DETENUS AND AN IMMEDIATE DECLARATION FOR RECOGNISING INDIA'S STATUS AS A SELF-GOVERNING DOMINION.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order.

The next motion is in the name of the same Honourable Member who wants to discuss the gingering up of enthusiasm for the war by such forward steps by the Government as release of all political prisoners and detenus and an immediate declaration for recognising India's status as a self-governing Dominion within two or three years after the war. This also must be held to be out of order.

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INDIA'S DISSOCIATION IN THE INTER-ALLIED CONFERENCES AND ALLIED COUNCIL TO CONSIDER THE ECONOMIC POST-WAR PROBLEMS.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion has been given notice of by the same Honourable Member who wants to discuss India's dissociation hereafter in the Inter-allied conferences at present held in London and Allied Council to consider the economic post-war problems as outlined in Article IV of the Atlantic Charter, as according to the statement of the Prime Minister, Mr. Churchill, the same (*i.e.*, Charter) is inapplicable to India. The Honourable Member then quotes Article IV as follows:

"They will endeavour, with due respect for their existing obligations, to further the enjoyment by all states, great or small, victor or vanquished, of access on equal terms to trade and to the raw materials of the world which are needed for their economic prosperity."

Is there any objection to the discussion of this motion?

**The Honourable Mr. M. S. Aney** (Member for Indians Overseas): What is the precise point of dissociation which the Honourable Member wants to raise?

**Mr. President** (The Honourable Sir Abdur Rahim): The point seems to be that the Atlantic Charter does not apply to India.

**The Honourable Mr. M. S. Aney:** The motion refers to the Inter-allied conferences and the Allied Council which are different matters. So it refers to more than one issue and there is no specific single issue of recent occurrence, which the Honourable Member wants to discuss.

**Mr. President** (The Honourable Sir Abdur Rahim): I suppose this happened after the last Session of the Assembly?

**Several Honourable Members:** Yes, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Is there any objection to this motion being taken up?

**The Honourable Mr. M. S. Aney:** Yes, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): As objection has been taken, those Honourable Members who are in favour of leave being granted will rise in their places.

(After a pause.)

As less than 25 Members have stood up, leave is refused.

#### ECONOMIC CONDITION OF COTTON GROWERS.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion for adjournment stands in the name of the same Honourable Member. The matter sought to be discussed relates to the grave situation arising out of the precarious economic condition of growers of cotton, particularly short staple, consequent on the order freezing Japanese assets, feeding urgent and substantial relief as the cotton crop will be moving to the markets within a month.

Is there any objection to this motion being discussed?

(After a pause.)

The motion is in order, and as no objection has been taken, it will be taken up at 4 o'clock unless the business of the House is concluded earlier, in which case it will be taken up when the agenda is finished.\*

#### H. E. THE GOVERNOR GENERAL'S ASSENT TO BILLS.

**Secretary of the Assembly:** Sir, information has been received that the following Bills, which were passed by both Chambers of the Indian Legislature during the Budget Session, 1941, have been assented to by His Excellency the Governor General under the provisions of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:—

- (1) The Insurance Deposits (Temporary Reduction) Act, 1941,
- (2) The Indian Merchandise Marks (Amendment) Act, 1941,
- (3) The Petroleum (Amendment) Act, 1941,
- (4) The Berar Laws Act, 1941,
- (5) The Assam Rifles Act, 1941,
- (6) The Indian Railways (Amendment) Act, 1941,
- (7) The Indian Finance Act, 1941,
- (8) The Protective Duties Continuation Act, 1941,
- (9) The Indian Tariff (Amendment) Act, 1941,
- (10) The Tyres (Excise Duty) Act, 1941,
- (11) The Excess Profits Tax (Amendment) Act, 1941,
- (12) The Delhi Restriction of Uses of Land Act, 1941, and
- (13) The Insurance (Amendment) Act, 1941.

HOME DEPARTMENT NOTIFICATION ISSUED UNDER THE  
REGISTRATION OF FOREIGNERS ACT, 1939.

**The Honourable Sir Reginald Maxwell** (Home Member): Sir, I lay on the table a copy of the Home Department Notification No. 21/33-1/40-Political (E), dated the 12th July, 1941, issued under the Registration of Foreigners Act, 1939.

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HOME DEPARTMENT.

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NOTIFICATION.

POLITICAL (E).

*Simla, the 12th July, 1941.*

*No. 21/33-1/40.*—In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Registration of Foreigners (Exemption) Order, 1939, published with the notification of the Government of India in the Home Department No. 21/32/39-Political, dated the 21st June, 1939, namely :

To the Declarations set out in the said Order, the following Declaration shall be added, namely :

- "7. That the provisions of sub-rules (1) and (3) of rule 10 of the Rules shall not apply to, or in relation to, any foreigner who is absent from the district of his registered address and who has furnished in respect of such absence a report in pursuance of paragraph 10 of the Foreigners Order, 1939, to the Registration Officer of the district of his registered address so long as the said report shall substantially comply with the requirements of the said sub-rule."

(Sd.) H. J. FRAMPTON,

*Joint Secretary to the Government of India.*

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AMENDMENT TO CERTAIN RULES AND FORMS OF THE  
INSURANCE RULES.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar** (Commerce Member): Sir, I lay on the table a copy of each of the following documents:

- (i) amendment to Rule 8 of the Insurance Rules, 1939, published with the Department of Commerce Notification No. 597-I (2)/40, dated the 1st February, 1941;
- (ii) amendment to Forms V and VI of the Forms set forth in the Schedule to the Insurance Rules, 1939, published with the Department of Commerce Notification No. 597-I(2)/41, dated the 2nd August, 1941; and
- (iii) amendments to Rules 16 and 24 of the Insurance Rules, 1939, published with the Department of Commerce Notification No. 597-I (3)/41, dated the 16th August, 1941.

## DEPARTMENT OF COMMERCE.

## NOTIFICATIONS.

## INSURANCE.

*New Delhi, the 1st February, 1941.*

*No. 597-I (2)/40.*—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following amendments shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely :—

In rule 8 of the said Rules—

- (1) in sub-rule (2), for the words “shall be” the words and figure “shall, at the option of the depositor, be either paid in London by the London Office of the Bank after deduction of a commission of 5s. on every sum of £100 or part thereof, or” shall be substituted;
- (2) in sub-rule (3), for the words “and amounts” the words “and amounts if any”, shall be substituted.

H. C. PRIOR,

*Addl. Secy. to the Govt. of India.*

## INSURANCE.

*Simla, the 2nd August 1941.*

*No. 597-I (2)/41.*—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following further amendment shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely :—

For Forms V and VI of the Forms set forth in the Schedule annexed to the said Rules, the following Forms shall be substituted, respectively, namely :—

“FORM V.

(See Rule 16).

Application for a licence to act as an Insurance Agent.

To

The Superintendent of Insurance,

Department of Commerce,

New Delhi.

SIR,

I request that a licence to act as an insurance agent may be granted to me. Necessary particulars are given below. The fee of Rs \_\_\_\_\_ has been paid, *vide* bank treasury receipt attached. your letter No. \_\_\_\_\_, dated \_\_\_\_\_.

2. I, the applicant, declare that the answers below are true and that the licence for which I hereby apply will be used only by myself for soliciting or procuring insurance business.

Yours faithfully,

Signature.

Date

194 .

- (1) Full name of the applicant in block letters. (State whether Mr., Mrs. or Miss). (1)
- (2) Father's or Husband's name. (Strike out portion not required). (2)
- (3) Full address (in block letters) stating the name of the Province or Indian State in which the address is situate. (3)
- (4) Age and date of birth in Christian era. (4)
- (5) Number and date of the last licence held, if any. (5)
- (6) Date of expiry of the last licence held, if any. (6)
- (7) Has the applicant been found to be of unsound mind by a Court of competent jurisdiction? (7)
- (8) Has the applicant been found guilty of criminal misappropriation or criminal breach of trust or cheating or forgery or an abetment of or attempt to commit any such offence by a Court of competent jurisdiction? (8)
- (9) In the course of any judicial proceeding relating to any policy of insurance or the winding up of an insurance company or in the course of an investigation of the affairs of an insurer has the applicant been found guilty of or to have knowingly participated in or connived at any fraud, dishonesty or misrepresentation against an insurer or an insured? (9)
- (10) Has the applicant's licence been cancelled at any time by the Superintendent of Insurance and if so, when? (10)
- (11) Has an application for a licence ever been refused? If so, when and by whom? (11)

[To be filled in by the insurer or chief agent, if the application is submitted through him. In the case of applications submitted in bulk this endorsement should be filled in for each application.]

Forwarded to the Superintendent of Insurance, New Delhi, with the request that the licence, if granted, may be sent to us for transmission to the party/parties concerned

direct to the agent

The fee of Rs. \_\_\_\_\_ in respect of this application has been paid \_\_\_\_\_ into the \_\_\_\_\_  
bank/treasury, vide consolidated chalan for Rs. .... and list attached.  
letter No. \_\_\_\_\_, dated \_\_\_\_\_

Signature of sender.

(Full address of sender.)

No. .

Dated the

## NOTES.

1. The attention of the applicant is drawn to section 104 of the Insurance Act, 1938, which provides that whoever in any document required for the purposes of any of the provisions of that Act, wilfully makes a statement false in any material particular, knowing it to be false, shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to one thousand rupees, or with both.

2. This application should be accompanied by a treasury or bank receipt obtained as laid down in Rule 16 of the Insurance Rules, 1939, unless it is submitted through an insurer, etc., with a consolidated chalan. Payment by money order, cheque or postal order will not be accepted. The fee should be paid for credit under the head "XXXVI—Miscellaneous Departments—Miscellaneous—Fees realised under the Insurance Act, 1938". Care should be taken to see that the name given in the treasury or bank receipt is identical with that shown against item (1) of the application form.

3. Every question should be clearly answered in words and not by putting a dash or a cross.

4. An applicant must be 18 years or over on the date of submission of the application.

5. It is requested that the application may be filled in as far as possible in the English language. Where it is not possible to do so, at least the name and address of the applicant and the father's or husband's name should be transliterated in English in block letters.

6. If this application is for renewal of the existing licence held, it should be submitted not more than 3 months before the date of its expiry.

7. No acknowledgment of this application will be sent. If one is required the application should be sent by registered post (Acknowledgment due).

## (FOR USE IN THE OFFICE OF THE ISSUING AUTHORITY).

No. I. L. ( )/4, dated New Delhi, the 194 .

Returned with the bank/treasury receipt with the remarks that •

To Assistant Superintendent of Insurance.

Re-submitted with/without the bank/treasury receipt.

Dated the Signature of sender.

To The Superintendent of Insurance,  
New Delhi.

## FORM VI.

(See Rule 16.)

No. of Licence

Licence to act as an Insurance Agent under Part II of the Insurance Act, 1938.

of

having paid the prescribed fee and having made the necessary declaration is hereby authorised to act as an Insurance Agent up to

Dated the day of 194 .

Superintendent of Insurance.

Signature of Licence-holder to be made  
as soon as licence is received.

NOTE.—If it is desired to renew this licence for a further period the procedure laid down in rule 16 of the Insurance Rules, 1939, shall be followed and an application for renewal should reach the issuing authority not more than three months before the existing licence expires."

*Simla, the 16th August 1941.*

No. 597-I. (3)/41.—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following further amendment shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely :—

1. In rule 16—

- (a) in clause (a) for the words "a fee of one rupee", the words, brackets and letters "the fee specified in clause (aa)" shall be substituted;
- (b) after clause (a) the following clause shall be inserted, namely :—  
 "(aa) The fee for obtaining or renewing a licence to act as an insurance agent shall be one rupee if the licence is issued for a period beginning with a date earlier than the 1st October 1941 or one and a half rupees in any other case;

Provided that an additional fee of one rupee shall be paid if the application for renewal of the licence reaches the issuing authority on or after the date on which the licence ceases to be in force."

2. In rule 24—

- (a) in sub-rule (1)—
  - (i) for the words "one hundred rupees" the words "five hundred rupees" shall be substituted;
  - (ii) for the words "accident and miscellaneous insurance, including workmen's compensation and motor car insurance", the words "miscellaneous insurance" shall be substituted;
  - (iii) in the proviso for the words "fifty rupees" in both places where they occur, the words "two hundred and fifty rupees" shall be substituted,
- (b) sub-rule (2) shall be renumbered as sub-rule (6), and sub-rule (3) shall be omitted,
- (c) before sub-rule (6) as so renumbered, the following sub-rules shall be inserted, namely :—  
 "(2) The fee for renewal of registration under section 3A of the Act for each class of insurance business for which the insurer is registered shall be,
  - (i) where the total annual gross premium income including annuity considerations, if any, as shown in the revenue account for that class of insurance business prepared under the Act for the calendar year preceding the one in which the application for renewal of registration is required to be made does not exceed one lakh of rupees, fifty rupees;
  - (ii) where such premium income exceeds one lakh of rupees but does not exceed two lakhs of rupees, one hundred rupees;
  - (iii) where such premium income exceeds two lakhs of rupees but does not exceed four lakhs of rupees, one hundred and fifty rupees;
  - (iv) where such premium income exceeds four lakhs of rupees but does not exceed six lakhs of rupees, two hundred and fifty rupees;
  - (v) where such premium income exceeds six lakhs of rupees but does not exceed ten lakhs of rupees, three hundred and seventy-five rupees;
  - (vi) where such premium income exceeds ten lakhs of rupees, five hundred rupees :

Provided that the fees for renewal of registration payable in any one year by an insurer in respect of his insurance business other than life insurance business shall not exceed one thousand and five hundred rupees.

- (3) The fee for registration under section 70 of the Act shall be two hundred rupees.



- (4) The fee for renewal of registration under section 70A of the Act shall be fifty rupees where the total gross premium income including annuity considerations, admission fees and other fees, if any, as shown in the revenue account last furnished under the Act was less than fifty thousand rupees per annum or one hundred rupees in all other cases.
- (5) The fee payable for obtaining copies under section 119 of the Act shall be two rupees for each foolscap page of the copy, the copy being prepared with reasonable margin and spacing."
- (d) in sub-rule (6) as so renumbered, for the words "The fee for registration", the words, brackets and figures "Any fee specified in this rule or payable under sub-section (1) of section 20 of the Act" shall be substituted and for the words "the application for registration", the words "the relevant application" shall be substituted.

N. R. PILLAI,

*Addl. Secy. to the Govt. of India.*

### ELECTION OF SIX NON-OFFICIAL MEMBERS TO THE DEFENCE CONSULTATIVE COMMITTEE.

**Sir Gurunath Bewoor** (Government of India: Nominated Official): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, six non-official Members to serve on the Defence Consultative Committee."

The present Consultative Committee which is a departmental committee of the Defence Department consists of Members nominated by certain Leaders of Parties. When Government announced the appointment of this committee it was also announced that steps would be taken immediately the Central Legislatures meet to have the members of the committee duly elected. In pursuance of that undertaking I make this motion. Sir, I move.

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

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, six non-official Members to serve on the Defence Consultative Committee."

**Mr. Huseinbhai Abdullahbhai Laljee** (Bombay Central Division: Muhammadan Rural): I consider this motion to be the most important one before the House for this Session. In fact, Sir, a great deal has been said, and rightly too, that we are passing through very trying times. On the one hand, Sir, it has been said that the people are with the Government. On the other hand it has been said that certain classes of people are not with the Government. But above all, Sir, there is no denying the fact that this House is the responsible House under the Constitution and is the most important authority belonging to the people of this country and, as such, so long as the Government realize this true aspect of the question and try their level best to associate in this important war measure as many elected Members as could possibly be of this House, I think then and then only would they be able to justifiably say that a large number of people are with them. Sir, we have been asked to nominate only six Members on this all-important matter. This is really one of the most important of the war activities which lies within the power of this House, to watch, guide and help.

**Mr. N. M. Joshi** (Nominated Non-Official): We have become a very small House.

**Mr. Husenbhai Abdullabhai Laljee:** It may be a very small House at present, but it really represents crores of people; if Government will look into the figures of the Constituencies represented here, they will find lakhs of people are represented. Not only that, but we have been very glad to learn that the Secretary of State for India has realised and taken the greatest pride in being able to get in the extended Council the nomination of our friends, Mr. Aney and Sir Homi Mody, because they happen to be elected Members. Sir, they know very well, and we ought to realize the fact, that at present, howsoever we may be constituted, we are the persons who are really responsible for the defence and prosperity of our people and for the moneys of the people, and for every farthing that is spent—for good or for bad—we shall be held responsible. I am sure, Sir, constitutionally it is, and Government will and must acknowledge it.

**Sardar Sant Singh** (West Punjab: Sikh): Constitutionally it is not.

**Mr. Husenbhai Abdullabhai Laljee:** I hold it is and it is the true view. What I want to tell is this: only six Members of this House to look after this all important war activity of Government is not right and proper. Besides, we find that hardly three elected Members were chosen. What is the value the Government attach to the representatives of the people? What is the value Government has given to the rate-payers? If even now Government do not realize that the elected people are the real people to look after such activities of Government then what is the use of this House and why have extension of this Assembly and why have all these constituencies? Let us go back to the old age and let the Government act in their own name and on their responsibility. It is high time that Government should realize that it is in their own interest that they should now consider seriously and recognize the elected Members of this House. Howsoever small they may be at present it is due to their co-operating with you and due to the fact that they offer their co-operation that you can tell the world at large that the people are with you. Sir, for these reasons I want the number of Members on the Defence Consultative Committee to be very large, large enough to meet people's desire.

Well, Sir, I do feel that great attempts are and have been made in various provinces—and they are in a way good—for the prosecution of the war, but everywhere what do we find? We find nominated Members; nominated by His Excellency the Viceroy or nominated by H. E. the Governor. But why? Why not ask the people? Why not take the people's representatives? If you have doubts about the credentials of those who are present here in this House do please dissolve the House and get newly elected Members. That will be the right spirit and right thing to do. That will be straightforward, honest position to take. That will be the dignified position. Very recently I happened to attend a small Conference when I saw the representatives who were on the Treasury Benches only a few years back saying "people desire everywhere people's representatives and that is what is required". But I regret they did not speak so frankly for the people's right when they were on those Treasury Benches. I appeal to the Government to consider

[Mr. Husenbhai Abdullabhai Laljee.]

this position seriously. Even now there is a chance for them to recognise people's representatives' right and Government should take on a larger number of elected representatives of the people. With due regard for the Committee that H. E. the Viceroy has appointed I must say that constitutionally they are not and cannot be taken as representatives of the people. I am glad to acknowledge that they will be doing useful work and this I say from the information I have got but constitutionally they are not representatives of the people. Let the elected representatives be selected first and then some of the people will not be able to say that there is not the co-operation of the people. It is an elementary principle of democracy to acknowledge the right of elected members. The British Government has been all along doing it. Therefore, I do ask, Sir, that the number may be increased, almost doubled and that the elected element must be 2/3rd of it.

**Honourable Members:** Move an amendment.

**Mr. Husenbhai Abdullabhai Laljee:** Sir, I would move an amendment if you permit. I do not know whether since a notice has not been given I will be allowed; that is my difficulty.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member can only appeal to the House.

**Mr. Husenbhai Abdullabhai Laljee:** I think that is the position, but if the Leader of the House agrees I hope there will be no objection to moving an amendment. However, Sir, I know my position and I agree I cannot make any amendment. Therefore, I am appealing and I do hope sincerely that now is the opportunity for all the Honourable Members on the Treasury Benches to take into confidence the people's real representatives and I tell them on the floor of this House that, after my having drawn their pointed attention that there are people's real representatives in this House wishing to co-operate (having been elected by the people, they represent lakhs and lakhs of people by their vote) and if you even now deny them the opportunity it would be very difficult for many to understand how you say that the people are consulted and are entirely with you—I use the word 'entirely'. Here it is an option placed before the Government to avail of or reject, I still hope you make the number at least double or three times and have at least 2/3rd elected Members. I have nothing to say against the Members who are already working. From the information I have got, I can say that they have done well. But all the same that does not make much difference. Everybody here would like to become a President of this Honourable House but it is an acknowledged fact that none but an elected Member of this House can become its President. It is that very principle on which I appeal to my Honourable friend, the Leader of the House and all the other Honourable Members to avail of this opportunity. This is the only body connected with the war activities, this is the only body that is associated with the Central Legislature, a body associated with real and elected representatives of the people, and if you wish that the people should be fully with you then why should you not consult them? Why should you not associate with them?

And why should not their views be taken into consideration? Sir, they want to take on only six Members even at this stage of the war—only six Members! And the whole of India to be represented by six Members! Let anybody dare deny that this Assembly does not represent the people. If this Assembly does represent the people, then the number of members on this important Committee must be larger. The stakes are great and it is only but fair, just and equitable that they should have as large a number as possible from this House, from among those who are willing to co-operate. With these words I once again appeal to the Government to realize this position and get the fullest co-operation possible through the people's real and elected representatives so that you may be in a position to say that the voice of the people is with you in carrying out the war activities.

**Lieut.-Colonel Sir Henry Gidney** (Nominated Non-Official): Sir, I

12 NOON. desire at this stage to associate myself with the remarks made by the Deputy Leader of my Party. Sir, this is a matter to which I have given considerable attention. I am a Member of the Defence Consultative Committee having been elected by my Party. But this is a matter which the Government must look at from a different standpoint. We know how peculiarly we are situated as far as those empty benches are concerned. We also know that Government's field of recruitment from the elected Members has been tremendously narrow. We also realise that it is wrong in this House to make a difference between a non-official Nominated Member, and an elected Member or even an official Member. They come to this House with equal responsibility, and sometimes some of the Nominated Members, for instance, my friend Rao Sahib Shivraj, represents sixty millions of people,—and we have Members on this Committee who are nominated as well as elected. As a member of that Committee, I can bear ample testimony to the most excellent work that was done on that Committee by my friend, Col. Rahman and he is a non-official nominated Member. I do not know what we could have done without him. But I join with my friend, Mr. Laljee, in pointing out that Government have given scant recognition to elected Members. May I point out to Government for their consideration that, in the composition of the last Defence Consultative Committee we had 50 per cent. elected Members from the Groups and 50 per cent non-official nominated Members. This I consider is not right. I wrote to Government on the matter, but they did not take notice of my protest. I go a little further and say this, that in the composition of that Committee there was not even one elected Muslim. There was one Sikh, who was an elected Member. But that is the position. Sir, if you want the co-operation of the communities, if you want the co-operation of a community like the big Muslim community, you must have an elected representative from that community, and this is really the very nucleus of the protest which my friend, Mr. Laljee, has placed before this House, and I join with him in his protest. Again I also feel that the Committee is too small and was not representative enough. Whether it was boycotted, girlcotted or any-cotted by the Congress and Muslim League the point was that the Committee was not large and representative enough. The other issue raised was that there were too many non-official Nominated Members as compared with elected Members. I am not entirely a non-official nominated Member inasmuch as I am selected by His Excellency the Viceroy from a panel, and H. E. the Viceroy has an opportunity of electing from this panel, I there-

[Sir Henry Gidney.]

fore, stand on a par with Mr. Aney's election—but apart from that—I was elected to this Committee by my Party. The question is, are the Government prepared to enlarge the Committee? And may I say it will be to their interest as well as to the interest of the House and the Committee as well if this Committee were enlarged in the manner we have suggested. I think it will not be good policy if the Government were to demark non-official Members from elected Members of this House under any circumstance. If in a Committee there are, say, six members, there should be four elected and two nominated members, and in that proportion one can increase the total number of members in the Council. But I wish to impress on the Government that we cannot fill these Committees with members who will say just what you want them to say. I am afraid there is some such feeling in the minds of some elected members of this House and I tell the Government that this feeling was observed by me during my recent tour in the South. Sir, my friend, Mr. Laljee, has pointed out to the Honourable the Leader of the House a very important matter regarding the enlargement and composition of this Committee and I do hope due notice will be given to it.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): Sir, so far as this motion is concerned, it has a history behind it. The country will not be satisfied with the appointment of certain Committees or Councils for defence matters. What the country wants is that the actual portfolio of defence should be given to an Indian Member. That is the demand made for a long time past, but nothing has been done up to this moment to meet that demand. We expected that when the Cabinet was expanded the Government would repose the fullest confidence in the Indian Members of that expanded Cabinet and also transfer this otherwise untouchable portfolio into the hands of one of the Indian Members, but they have not done so. Therefore, I think the country has a grievance over this matter. I cannot understand why the defence portfolio should not be in the hands of an Indian Member as all other subjects are in the hands of Indian Members . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member should perhaps confine himself to the motion before the House. He cannot go into all those details.

**Mr. Lalchand Navalrai**: Sir, I again repeat that the country will not be satisfied with these small Consultative Committees. This House had committees for other departments like Finance, Home and so on, but no consultative Committee was appointed for Defence. Demands were made from time to time, there was a great agitation set up in this House, but always a deaf ear was given to our demands until, last time, when the predecessor of the present Commander-in-Chief made a statement in the Council of State to the effect that a Consultative Committee would be appointed. Since then we know that a Committee of Nominated Members was appointed. At that time the House was not in Session and so the matter could not be taken up then. I think now is really the time when this question should be taken up.

Now, Sir, the first point raised by my friend is that the number of Members is too small. I agree with him. As I said, there are Committees associated with Finance, Home and other Departments. In the Finance Committee there are 14 members, and I cannot understand why in an important Committee like the Defence Consultative Committee there should be only six members. There is therefore every justification for increasing the number of members on this important body, and as no amendment has been made, I appeal to the House as well as to the Treasury Benches to increase the number of members. The most important thing to be borne in mind is that it is not enough if the Committee were enlarged, but the members of the Committee should be furnished with all detailed information . . . . .

**Lieut.-Colonel Sir Henry Gidney:** We got full information on all the matters to which the Honourable Member has referred.

**Mr. Lalchand Navalrai:** We want a sound and substantial Committee which may be allotted certain definite functions to discharge, and in whom fullest confidence may be reposed. My friend, the Mover, said, that the Committee should be adopted, but he has not enlightened us as to what should be the functions of the Committee or how far will the Government repose confidence in the Committee, because, invariably, the Government say that such and such a matter is confidential and nothing is disclosed. On the last occasion when this Committee was appointed, I find the Army Secretary said this:—

“His Excellency the Defence Member is firmly of the opinion that the possibilities of his receiving views and advice from the representative public men, on the one hand, and of his giving them, on the other, information which will assist them in the exercise of their public duties, require regularization and he hopes that arrangements will be shortly worked out whereby this can be given effect to,—in what precise manner I cannot at present explain, because it has not been worked out and as it has been made, I think, abundantly clear, there are many difficulties, not only constitutional, but also practical, in the way. But so far as rendering it possible for the Defence Member to receive the advice of Indian public men in matters which are connected with his sphere of responsibility and of his giving them all the information which he can safely and properly give is concerned, those difficulties will somehow be surmounted.”

I would, therefore, like to put two questions: What is the information that this Committee will get? Will it be free and full or will everything be marked confidential? I have no information and that is why I am putting the question whether the present committee with its Nominated Members—how far are they satisfied and how far are they taken into confidence—or does it exist only in name? If it exists merely for name's sake, then I think it is no use having it, though I would like the committee to work and its co-operation should be taken in full confidence. I would also like to know how far their views are given consideration or whether they are thrown away. This can be explained by instances that may have happened up to this time. Members on that committee must be knowing how far information is given to them and they are being taken into confidence and how far their suggestions are taken into account. I would really like to know what will be their function and their powers. Is it to be merely consultative as it is till now, in the sense that their views may not be considered? Will their views be thrown away at the whim or caprice of the chairman of that committee?

[Mr. Lalchand Navalrai.]

I, therefore, submit, without taking any further time, that this committee may be constituted with more members and giving them full powers and reposing full confidence in them.

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muham-madan Rural): Sir, I rise to support the motion moved by my Honourable friend, Sir Gurunath Bewoor. It is true that we have been slow in this matter, that this matter is being proceeded with rather leisurely; but it is not true that the appointment of this Committee is confined to nominated Members, as two of the previous speakers have said. We are not all nominated Members. I am nominated by the Leader of my Party. There is no point in mis-understanding how this Committee was constituted.

This Committee was appointed rather late and it is one more proof of the mistrust which has kept this country out of the inner knowledge of the defence problem for two hundred years. Now that it has come I desire only two things, that the House should take the fullest interest in its appointment and in its proceedings and that the Government should repose the fullest confidence in this Committee by placing all their cards on the table to the extent that is possible. It was my privilege to be recommended for appointment to this Committee by the Leader of the Congress Nationalist Party, and I shall tell the House with such reservations as were imposed on me as a member of that Committee what work that Committee has done.

First of all, the question has been raised by my Honourable friend, Mr. Husenbhai Abdullabhai Laljee, about the number of this Committee. Opinions may differ, and there is room for difference of opinion whether there should be ten or twelve or fourteen people on it. But in my opinion that is not a point of very great substance. Ten is as good a number as 12, and if there are going to be 12 I do not mind.

**Mr. Husenbhai Abdullabhai Laljee:** It is only six!

**Mr. Jamnadas M. Mehta:** Six out of 10. Six for this House and four for the Upper House. I agree that the number allotted to the Upper House is in excess of its numbers and its importance. Everybody will agree that this House represents the public far more effectively and correctly than the Upper House can ever hope to do . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I think the Honourable Member must not make any reflections on the other House.

**Mr. Jamnadas M. Mehta:** May I submit that I am merely claiming importance for my side of the House?

**Mr. President** (The Honourable Sir Abdur Rahim): Yes, but not at the expense of the other House.

**Mr. Jamnadas M. Mehta:** May I not claim more seats for my House?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must not make any invidious comparison.

**Mr. Jamnadas M. Mehta:** Without any comparison, I can claim—in fact it has been claimed by the two previous speakers whom you allowed to speak in that strain . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That is all right. If the Honourable Member refers merely to the importance of this House it is all right.

**Mr. Jamnadas M. Mehta:** The importance of this House is so great that the number allotted to it is far too inadequate. That is how I put it. If the number is increased, I am in complete agreement with it; but it is not the number which makes for effectiveness but the quality of the people whom you elect, and I am not sure that we shall use this opportunity of electing even six Members with as much responsibility as we should have done. I am sorry to have to say that even the first tour of this Committee was not fully attended by members. That is my complaint. Such of them as came, interested themselves far more in other occupations and were less interested in the working of the Committee. I think more younger blood is necessary. Members who cannot walk 50 feet without being fatigued are not expected to roam about four miles in the Naval Depot in Bombay. People who cannot ride without riskshaws are not expected to go round the Arsenal at Poona which is about two miles. Therefore, it is absolutely necessary that the House should elect men actively interested in the matter. Members must be selected with due regard to their capacity to stand the strain of strenuous work which is the work of this Committee. Mere communal proportion and raising other hares of that kind is absolutely useless. If you want a Consultative Committee, appoint six most enthusiastic, most earnest people of reasonable limits of age. That unfortunately is not the case today.

Secondly, the Committee was not called more often. It was appointed in a belated manner and having been appointed in a belated manner it was convened far more belatedly. We were told we will be called this day, we will be called that day, and, ultimately, we were called in July end. And now we are October end, and after five months of our appointment we were called only once. That I think is too little consultation.

Further, although a great deal was promised when the Committee was appointed, that the members will be shown this, that the members will be shown that, only one tour was undertaken and that for about ten days. This tour was very valuable, we learnt a lot, we came into grip of the inner working of the defence problem of this country to some extent, but it was only a part of it, a very small part at that. People whom you want to consult on the question of defence are entitled and are bound, first of all, to acquaint themselves with the whole defence problem at the earliest possible moment. But that is apparently not the object with which this Committee was appointed, or if that was the object it has been very feebly carried out. We were told that we shall be taken to all the military installations and there may even be some journey outside this country; the frontiers of this country are now supposed to rest on Suez on the one hand and at Singapore on the other and, therefore, we were told that we might be taken there. We have been waiting for five months and not a single intimation has arrived about the proposed visits to these frontiers and the request which I made to be shown, some of the places even in India was turned down in the most polite manner. In our Southern



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Command tour we omitted Belgaum, Mhow and Devalali. I thought they were centres of some military importance and I asked for permission, if the other members were not being invited, to be allowed to be there alone. The reply was, 'Not now'. In the case of Alice in the Wonderland, jam tomorrow, jam yesterday, but no jam today! Knowledge yesterday, knowledge tomorrow, but no knowledge of the Defence today.

I do not wish to belittle the importance of this Committee on these grounds. The appointment of this Committee is a step in the right direction. For the first time in the history of this country elected representatives of the people sit at a table to know the inner working of the defence problem though to a very limited manner. And although the Commander-in-Chief has imposed the duty of secrecy on me he has also I am sure left us to our commonsense to decide for ourselves what was secret and what was not, and in pursuance of the use of that commonsense I say that His Excellency the Commander-in-Chief gave us a lucid exposition of the war situation that prevailed in July last. He gave us in one hour what we had tried to learn in two years from the newspapers. The Commander-in-Chief is a student of history of War, and I think he is a very real close student. His manner of expounding the question was worthy of all praise. He has a lucidity of expression and a dryness of humour which sometimes enlivens even the proceedings of a dull Committee. Once he said, Hitler had a great advantage over him; one of them was that he has not yet appointed a Defence Consultative Committee. In the Defence Consultative Committee the members should be taken into the fullest confidence and at the earliest possible moment. From the way in which the Committee worked, the members of this Committee will, I am afraid, not be equipped with the knowledge of the defence problems until this war is over. The pace of enlightenment must be accelerated. If the defence problem is of immense interest to this country, the knowledge of those who compose the Consultative Committee should be as quick and as thorough as the Commander-in-Chief can make it. That is my one request to His Excellency the Commander-in-Chief,—that having appointed this Committee, never mind the number, he should make the fullest use of that Committee at the earliest possible moment so that the members of this Committee, are so equipped that they can enlighten public opinion on this momentous issue of Defence.

I want to tell the House one more grievance about the way in which the Defence Department is recruiting officers. This grievance is that no matter how educated a man may be, no matter how physically fit he may be, even when he satisfies every educational, physical and other known test laid down by the military, scores and scores of people are turned down and not granted commissions on the plea of unsuitability. The word "unsuitable" is used for blasting the hopes of young men who have offered to volunteer their services either as King's Commissioned Officers or as Viceroy's Commissioned Officers. Young men equipped educationally and physically in the best manner possible, men renowned for sports in their colleges and schools,—these men are interviewed and found fit, and then they are told, "We thank you for offering your services, but you are not found suitable". Nothing can break the heart of a young man offering to serve his country so much as this cynical and laconic reply. I want the Defence Consultative Committee to be taken into confidence and told why these scores and scores of young men against whom there may be nothing, for whom there is everything, are not accepted and are turned down on the

ground of unsuitability. What is unsuitability, Is their nose a little crooked? What is unsuitability? If the man is physically fit, if he is educationally qualified, if he was a leader of men in his own college and school, what is this unsuitability? This unsuitability gives play to personal forces of partiality and all the evil proceeding from unrestricted discretion of a few individuals. The Defence Consultative Committee must be convinced that before one young man is wrongly turned down when he has qualified himself in other ways—the Committee shall be satisfied that the reasons were absolutely genuine. I do not want that we should publish the reasons in the press or that we should carry on correspondence with the young man who is refused a commission, but if this Committee is to act as a link between public opinion and the Government, then the Committee must be convinced that for every rejection of an otherwise qualified man there is ample justification. You may take 2,800 young officers in the Army, but if you have refused to take fifty only without showing any ground, the wrong that you will do by turning down those 50 people wrongly will undo all the right that you might have done by appointing 2,800 men. This is a very important question which I wish that the Government should bear in mind. Let no sense of grievance remain in the heart of any young man as to why he was not accepted after he has satisfied all the tests, and this Defence Consultative Committee should know what we are to reply when a young man comes to us, shows his qualifications,—his principal's certificate that he was the captain of the college eleven, that he was an expert in football, that he was a leader of men, that he is five feet six inches tall according to the medical certificate, that he has a double degree from the university—in the face of all this, a man having all these qualifications gets a laconic letter, "You are not suitable". More often than not, the man who is selecting is not suitable. You have to enquire whether the selectors themselves are suitable, whether they are guided by considerations only of the efficiency of the men or of other considerations and the Defence Consultative Committee has a right to know that the men in whom is vested the right of selecting the future leaders of the Indian Army are not going to be men swayed by their personal likes and dislikes and who cover their prejudices under the very vague phrase 'unsuitable'. I feel indignant at the number of cases I have got, in which the men have been rejected on what I consider to be inadequate grounds.

Then, Sir, I wish the House also to remember that the Defence Consultative Committee, although it met once, did very excellent work. One of the gravest causes of discontent in this country is the racial discrimination. I am not giving out a secret when I tell the House that the question of abolishing discrimination between British and Indian Officers has been pressed on the Government both inside and outside this Committee and I am sure they are considering it very favourably and I am hoping that before long no distinction of a racial character will exist between Indian and British Officers in this Army. We had gone to Bangalore and we saw nearly 230 Indian cadets at the Bangalore training institution. We were given every opportunity of mixing with them socially and also when they were on training. We were also invited by these Indian cadets to dinner and the military took care that no single military officer was to be present lest the cordiality and the readiness of the Indian cadets to speak out whatever was in their minds might be repressed by the presence of their superior officers. I am glad to be able to say that out of the 230

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Indian cadets getting training there whom we met both individually and collectively every one of them without exception repudiated any suggestion that they were being treated differently from the British cadets. They said that they were treated with the utmost equality, without any distinction, that they had no grievance, that they were as happy as they could be.

The Members of the Committee do not know anything about the Navy or the Air Force yet. I have taken the trouble of visiting a naval installation and I have myself been on warships while they were in actual practice, but with the enemy absent. I saw real fire by machine guns, depth charging and so on but the enemy was not there. Therefore all this appeared to be somewhat unreal, although I had never seen real gunfire within ten feet. That day I had dozens of guns firing, pop guns, machine guns and all sorts of guns were fired at close distance. I soon got accustomed to them.

Now, Sir, the last point I want to make is that the Rajas and Nawabs are prancing between Suez and Singapore. The contribution which they make to the Indian defence, however valuable, cannot be equal to the contribution which the taxpayer of this country is making. While I therefore welcome the Raja of this and the Nawab of that going to Suez or Singapore, I complain very seriously that during five months it was not found possible for the Defence Department to arrange our tour outside India to see the actual battlefield, to see how our armies and our soldiers were finding things there.

I cannot close my observations without paying my tribute to Sir Gurunath Bewoor for the manner in which he conducted our Southern Command tour. I congratulate him on the excellent temper which he maintained when provocations were not wanting. Provocations were given to him, in as large a measure as he might have feared, by the members of this committee but he preserved the most saintly temperament. I often wondered how a bureaucrat would have such a temper. I congratulate him again on the excellent manner in which he conducted the first tour of the members of the Committee in the Southern Command, on his equable temperament and the willing attention he gave to the members of the Consultative Committee. I support the motion and wish the Committee all success.

**Qazi Muhammad Ahmad Kazmi** (Meerut Division: Muhammadan Rural): As a matter of fact, we are being called upon to vote on a matter about which we do not know anything. We are thankful to Mr. Jamnadas Mehta that, in spite of the oath of secrecy that he had taken.....

**Mr. Jamnadas Mehta:** I had taken no oath.

**Qazi Muhammad Ahmad Kazmi:** In spite of the promise of secrecy which he had made to His Excellency the Commander-in-Chief, he has been kind enough to give some idea to the House of the working of this committee. I was really hesitating as to the functions of this committee from the very beginning, but the clear enunciation of the whole position by my friend, Mr. Jamnadas Mehta, has convinced me that probably this committee is going to be nothing more than a farce, as has been our experience with so many other committees of this House before. What I understand is that His Excellency the Commander-in-Chief is going to impart his knowledge to the members of the committee by lecturing them off and on and showing them how guns and machine guns are

fired without allowing them to make the experiment themselves. Will this make them real experts? Then, what is the use of this consultative committee. My idea is that a committee without any powers, without any knowledge and which does not enjoy the confidence of the people should not be appointed and it is a sheer waste of time and money to have any committee of the kind. My point is a simple one. We know the experience of Railway Advisory Committees, which have got nothing to do with Defence Problems, which are not half as important as the defence problems of today. I had not the good fortune of being on that advisory committee but those on the committee say that it is only the chairman that does everything. If that is the position, what is the use of lending some members of this House for that purpose? It is waste of time and waste of money which will give no benefit to this House. Now, a further difficulty is here. They are bound by the oath of secrecy or by the promise of secrecy and even the Members of the House do not know what they are doing.

Now, what is the position of the elected representatives of this House? I am the elected Member and I have to tell my constituency what I am doing here. But here is a strange body and we had the misfortune of electing these people to the Defence Committee. They have entered into a compromise or have taken an oath that they are not going to disclose the secrets to their electors. They can tell us something only when it is necessary otherwise they will keep the secrets to themselves. Now, Sir, what is the use for me to send these people or any other Members of this House to a Committee where they are to be won over by the other Party and are not able to disclose any secrets to me? If Government really trust this House, they can hold secret Sessions as is the case with the British Parliament. Are the Members of this House not entitled to be allowed to enter into those secret problems for which the Government is going to choose Members of this House? I resent that. If these people are going to be told something which is not to be disclosed to this House, then we, on principle, cannot send our Members to that Committee because we know that there will be nothing in that Committee but lecturing. I had the courtesy in 1935 of the then Defence Member to be taken round to some of the Military manœuvres. Of course, they were conducted on a small scale at a time when there was peace. Even then, I can assure the House that, with the exception of my friend, Nawab Major Ahmad Nawaz Khan, who wanted to know something in spite of his being in the army for such a long time, we were always kept at a safe distance to avoid any alleged interference with the work that was being done there. My submission is that everyone of us has got the curiosity to know what is going on all round. Everybody would like to know how the machine guns are fired. But that is not the problem before us.

My friend complained about the recruitment. There, again, it is the same question of jobs; the same question of discrimination between the two communities. There is no question of any secrecy about it. We can read these things and we do not want only a few selected representatives to tell us all that they have seen. Then, again, I would like to know from the Honourable Member as to what this National Defence Council is and what is to be the relationship between the Defence Council

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and this Sub-Committee? Is the National Defence Council going to work along with this Sub-Committee or will it have separate functions and will advise the Government with regard to the recruitment of soldiers and officers? I would like to know whether the advice of the Defence Council is to override the advice of this Sub-committee. I would also like to know the reason why the Government thought it fit that there must be a National Defence Council. My friend, Mr. Laljee, said that we are the elected representatives of Indians. It may be that all of us are not here. It may be that all are not co-operating. Still, we have got so many elected representatives here and the Government have been saying that the elected representatives are better than the nominated ones because they represent the people. The nominated Members represent only the voice of the Government and are expected to say "Yes" to their commands. Therefore, to say that the elected representatives of this House and the nominated Members of this House occupy the same position, is not correct, otherwise what is the difference between slavery and independence. Therefore, I say with due deference to my friends, the nominated Members, that they have no right of being appointed to the National Defence Council. Of course, I have great respect for some of them but surely we are not going to mix up the principles on account of our private relations. I would like to know the reason why the Government has thought it fit to appoint to the National Defence Council persons who are not the members of the Central Legislature. It may be said that the National Defence Council was appointed because they wanted the help of the Indian States and others who are not connected with British India. My idea is that they took the Ruling Chiefs for their consultation, but so far as the British India was concerned, it must have been only the elected representatives of this Legislature who could sit on the Defence Council. So, I hope my learned friend, the Mover, would explain the position and let us know the real functions of this Committee. What do they expect this Committee to do and what will be its relations with the National Defence Council? Will there be any co-operation between these two bodies? It is only after hearing as to what the real functions of this Committee will be that we will be in a position to form some opinion. But as matters stand at present, I think it will be sheer waste of time of the Members of this House to have any Committee of this kind.

**Sardar Sant Singh:** Sir, I recognise this fact that after a good deal of agitation and persistent effort to have a peep into the matters relating to the Defence Department of the Government of India, we have partially succeeded in securing a small Consultative Committee for that department. This is the first motion that has been tabled in this House for electing representatives to that Committee. But I must say that we are sorely disappointed by the speech of the Honourable the Mover of this Resolution. He said absolutely nothing as to what this Committee is, what its functions are and in what matters the Government or the Department proposes to consult it. We are still left to find out that information from the speeches of some of the Members of this House. Though we are grateful to Mr. Jamnadas Mehta for telling us something of what this Committee did in its only meeting last time. With due respect to him I must say that from his position as a Member of the Opposition, he cannot explain the Government's position. This House is entitled and was entitled that at the time of making this motion the

Honourable the Defence Secretary, who for the first time happens to be an Indian, should have taken this House in confidence as to the attitude of the Government towards this Committee. I am afraid that with the thinning of the attendance in this House the speeches of the Official Members on the Treasury Benches are also being thinned proportionately. This is not fair to those who are actually present in this House. I hope the Honourable the Leader of the House, who was, up till lately, one of us, will see that the information is neither thinned nor held back from the House on important matters like the present one.

We really expect that the Honourable Member will tell us in his reply what is the position of this Consultative Committee and in what matters the Members are likely to be taken into confidence. We know, Sir, the value of Advisory Committees of this House. They have very little influence, if any at all. Some of you, Sir, who have read the article of Mr. Fielden, who was lately Director of Broadcasting here in India, will realise what are the powers of the Advisory Committees. Mr. Fielden has given away the secret of the working of the official mind. He says he is familiar with Advisory Committees and their functions. He had an Advisory Committee attached to the Broadcasting Department. If I am not mistaken the Honourable Member for Communications who is the Member in charge of Broadcasting, has been taking pride in the fact that he has given an Advisory Committee to this section of his department, namely, Broadcasting. In that article Mr. Fielden says that the function of the Advisory Committee was to meet and give advice and his function was to ignore that advice altogether. If that is to be the function of the present Advisory Committee too, I am sure it will neither be complimentary to this House nor to the Members of that Committee, be it Consultative Committee. The department should take particular care that the Members elected by this House are taken into the fullest confidence in vital matters. Our trouble in India is twofold.

**Lieut.-Colonel Sir Henry Gidney:** Manifold.

**Sardar Sant Singh:** First, we have to fight continuously for the recognition of a particular policy and then, if after many years of agitation, we succeed in securing that recognition, the second trouble begins. The second trouble is always insuperable, and that is the manipulation of that policy by the bureaucracy. Now, Sir, when we have succeeded in securing a Consultative Committee comes the complaint that the composition of that Committee is of such a nature that important interests are not represented. Those interests which are already represented in the Defence Department, and practically those who are in charge of the department, who have got to initiate policy in the department, these are represented again in order to fill up the composition of that Committee. I mean no disrespect to the elected Members of the European Group when I say that the Defence Department is entirely Europeanised. Therefore, a representative from the European Group—technically speaking they are entitled to representation as much as any other Party in this House—but substantially speaking, they have got so much representation in the Defence Department that the further representation should go to Indians of other Parties. I do not mean any disrespect.

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): It is superfluous.

**Sardar Sant Singh:** It is pure and simple manipulation in this matter. Similarly, I must say to my Honourable friend, Sir Henry Gidney, who is the respected Leader of an important Party in this House, that his community is abundantly represented in the Defence Department.

**Lieut.-Colonel Sir Henry Gidney:** Will the Honourable Member mention one? I challenge my Honourable friend.

**Sardar Sant Singh:** The Honourable Member will perhaps wait for a couple of days. I have tabled certain questions on this subject and he will know the real state of affairs when the questions are answered. The position is that in the matter of manipulation, the underlying principle of such Committee should be that Indians as Indians should be consulted and should be given a free hand in the matter of defining as well as initiating new defence policies which are in the interest of India and India alone. That is the fundamental principle on which we insist, though we are constituted under very peculiar political conditions. Such political conditions are not to be found in any other country. There are anomalies in the extreme here. The elected part of the House expects that some way will be found out for these anomalies and Indians in the real sense of the term will be consulted in the matter of defence. As regards one or two matters in which my Honourable friends have already said something, I want to add a word or two. That is about the Contract and Ordnance Departments. I fail to see why these two departments should not be administered in a manner that the policy is controlled by Indian opinion entirely. It is not a matter of strategy . . . .

**Lieut.-Colonel Sir Henry Gidney:** What have these two Departments got to do with the National Defence Council?

**Sardar Sant Singh:** Is it within the cognisance of this Consultative Committee to raise questions or not? That is the relevancy.

**Mr. President** (The Honourable Sir Abdur Rahim): Honourable Members are going into all sorts of matters. The Chair's difficulty is that the motion is very widely worded—Defence Consultative Committee. We are not told what will be their exact function.

**Sardar Sant Singh:** I refer briefly to some of the anomalies and the question on which I want the Honourable the Secretary for the Defence Department is to give information to this House is the question relating to the method they adopt in carrying out their duties whether this will be placed before the Consultative Committee or not. The second question which is agitating very strongly the Indian element in the Indian Army is the question of emoluments and allowances and the racial discrimination which is still prevalent in the Army. Will the Consultative Committee be consulted in that matter? Will they be permitted to influence the policy of the Defence Department as regards racial discrimination that is still prevailing in the army as regards pay and allowances? There are certain anomalies. I illustrate my point, that here in India a certain

section of the Army does not get lodging allowances, but when they go Overseas, lodging allowance is being deducted from the pay of Indians. Really one person came to me and asked me, what is the meaning of this. I could not explain. I think it was the business of the Consultative Committee to raise this point and discover for themselves whether this is a fact or not.

**Lieut.-Colonel Sir Henry Gidney:** Why did you not ask us when we sat in the Committee?

**Sardar Sant Singh:** I will request the Defence Secretary to tell us whether these questions will be put and whether the department will be influenced or not by the decisions of this Consultative Committee.

Lastly, Sir, I want to emphasise this point. The composition of this committee has been already referred to by several speakers  
 1 P.M. before me but I submit that the importance of this House should be fully recognised and greater representation should be given to the elected portion of it than has been conceded so far. I hope the Honourable Member will see that important interests are not left out on account of inadequate representation. I have seen most of the speeches of the highest military officers and other important personages from the Prime Minister of Great Britain downwards who have seen the work of the Indian Army and they have all very high praise for the work of the Indian troops. If that be so, why is it that the status of the Indian soldier is not brought to the same level as that of the Britisher?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is going into a very wide question. The question is whether there will be this committee or not.

**Sardar Sant Singh:** I am drawing the attention of the Consultative Committee to this aspect of the question. If these are tackled by the Consultative Committee it is a welcome measure, but if they are excluded we will have to consider what attitude to adopt with regard to this motion.

**Lieut.-Colonel M. A. Rahman** (Nominated Non-Official): Sir, before I take up this subject I should like to congratulate the first Indian who has been appointed by Government to represent the Defence Department i.e., my Honourable friend, Sir Gurunath Bewoor, and I wish him success and strength to his elbow. Many controversial points have been raised, specially by my Honourable friend, Mr. Jamnadas Mehta, and from my knowledge, inner as well as from outside, of some of the questions raised by him I rise to repudiate the points which he has made. I think I am right in saying that it is his utter ignorance of the facts which made him pass those remarks. First he said that members were not even eager to go round and see the various places which were arranged by the Defence Department. I wonder if he realised that some of the members have not only made one round of those places where officers are being trained but twice and some places had been visited thrice; and, some of the members too have already been to the places where our trainees are



[Lieut.-Colonel M. A. Rahman.]

and the factories are functioning and Indians are being trained. If he had realised this he would have understood why members did not go again to incur extra expenses to Government.

**Mr. Jamnadas M. Mehta:** Things were explained in your absence, that is all.

**Dr. P. N. Banerjee:** Were they explained only to Nominated Members?

**Lieut.-Colonel M. A. Rahman:** It does not matter whether we are nominated or elected. I maintain that nominated Members on this side have much more experience of administration than many of you put together. I personally have got 30 years' experience of administration; I have worked five years in the last great war, and I know a lot more of military defence of India than many of the Honourable Members there.

Mr. Mehta then raised the point that the Members were too old. I look round and I hardly find one or two below 50 and I do not know where he is going to raise youngsters of 20 or 21.

I now come to the point which I know most and that is about the Indianisation of the Army. From the very inception of the Central Interview Board in February 1940 I have been connected with this Indianisation problem. Mr. Mehta says that many of our youngsters have been refused admission even when they volunteered for service; that many of them are B. A.'s, LL.B.'s, failed M.A.'s and so on; that though they are physically fit they are politely told that they are unsuitable; and my friend, Mr. Mehta, does not understand what suitability means. I will explain to him what suitability from the military point of view means, and then he will realise that those who have been rejected are really unsuitable for the army line. I am after all an Indian myself and want as many Indians in the army as possible; and I am also the first person to say that unless and until India knows how to defend herself self-government or independence is an absolute misnomer. So no one can say that I do not support Indianisation; I say the more Indians are forthcoming, the better for the defence of our country. This Central Interview Board which was appointed in 1940, was improved by stages. To start with, we opened it only to those youngsters who were between the ages of 21 and 26. We gradually increased the age limit and now it is from 18 to 36. Even then our people are not coming as much as we want. They do not realise that we are in the war ourselves. This is a war of the world. It is a total war and every one of us will have to put in our little mite, whatever we can. We want our youngsters to defend our country. And who are the people to send them to us? Representatives of all the millions of India. Let all the parents make up their minds to send one or two of their young sons for the defence of their country as other countries are doing. I am one of those who believe in fighting and dying on the field and not sitting at home and being murdered by bombs and Hitlerism.

As regards the suitability of a candidate we have had men before us from the north, south east and west of India, Kahashis and Lahashis and people whom I have never met. It was a great experience for us. My

Indian colleagues,—one of them sitting on my right, Sir Henry Gidney,—will bear me out when I say that there was nothing but absolute fairness shown by the Central Interview Board to each and every individual who appeared before us. We had before us actors from Hollywood, professional singers who made their earning in Italy, professional dancers from the Uday Shankar School, lawyers, doctors, engineers, and so on. As regards suitability it is not that we have not B.A.'s and M.A.'s who are suitable for it. What 'suitability' means is this. Remember, if one officer is wrongly chosen, he may be a source of great danger to a country. It is not the case of a civilian who may make wrong judgment. Well, his error could be corrected afterwards. But in the battle-field if you make one mistake it is the death of your country. That is why we have to be so careful. I can give you scores of examples in which a candidate had good educational qualifications, good physique and all that but he could not be selected for lack of personality. There was a gentleman who appeared twice before us. He was an excellent fellow—I think he hailed from Bengal. But he had no personality and he had no power of leadership.

**Dr. P. N. Banerjee:** How could you detect that?

**Lieut.-Colonel M. A. Rahman:** I will tell you. The Chairman of our Board has for five years been engaged in selecting youths for various branches of administration; so you cannot say that we have in the Chair an inexperienced man. He is helped by two military veterans, who have 30 or more years of service to their credit and who have shed their blood in many a battle fields. By ten to fifteen minutes talk with a candidate they know whether he is suitable or not.

**Dr. P. N. Banerjee:** No, no. It is impossible.

**Sardar Sant Singh:** Is it or is it not a fact that the Chairman of the Selection Committee and some of those gentlemen who come from the Army in the Selection Board are privately informed of the political views of the parents and their influence upon the candidates.

**Lieut.-Colonel M. A. Rahman:** What I mean by leadership is this. In many cases it is a hereditary term. Now, why do you complain that we take so many Punjabis? I can tell you that Punjabis have inherent qualities to be good soldiers and leaders.

**Dr. P. N. Banerjee:** Does it mean that no one should be taken from other provinces?

**Mr. Jamnadas M. Mehta:** On a point of order, Sir, Such discrimination has been abolished by Government.

**Mr. President** (The Honourable Sir Abdur Rahim): That is no point of order. It is for the House to decide.

**Lieut.-Colonel M. A. Rahman:** I tell you that the Central Interview Board has been nothing but fair to every nationality wherever they came from. I was defining leadership by giving an example.

**Dr. P. N. Banerjee:** It can be acquired.

**Mr. President** (The Honourable Sir Abdur Rahim): I must ask the Honourable Member not to interrupt.

**Lieut.-Colonel M. A. Rahman:** I say in majority of cases it is inherited. I am a Doctor and I know such qualities are inherited. I have seen many officers of Bengal who have done very well in flying. For good leadership it is necessary that the officer must first know his men, he must know their language, he must set an example for them, he must be with them in their little troubles, look after their health, and by these ways he makes men to follow him.

**Dr. P. N. Banerjee:** But all these may be acquired.

(Interruption by several Honourable Members.)

**Lieut.-Colonel M. A. Rahman:** I refuse to admit, Sir, that we have refused anyone on racial, religious or sectarian grounds. There is not one case before us. As regards the point which was raised by my Honourable friend, Sardar Sant Singh, about emoluments and different other things, I cannot divulge much more but I can tell you that there is no racial discrimination. Emoluments are all equalised. There are certain other points which are drawing the serious attention of Government and you will find gradually it will all come. I think I have said enough about the Honourable Mr. Jammadas M. Mehta's point about Selection Board.

The percentage of successes in various Interview Boards has been very high. I have no knowledge of your provincial selection: that you may find out in your Province. But when they come up to the Centre before us, do you know from 60 to even 70 or 76 per cent. of successes have been accorded. If you take a class which we call B class—they are trained in Lahore—you will get the percentage go up to 84. Do you think that we are strict and don't you think that we should be more cautious. It is not a question of civil life. It is a question of life and death of the country.

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

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The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

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**Mr. Govind V. Deshmukh** (Nagpur Division: Non-Muhammadan): Sir, the speaker who preceded me was under a happy illusion that he has refuted all the charges made by Mr. Jammadas Mehta just now against some of the members of the Defence Consultative Committee who went round. I am in the happy position of being able to substantiate the charges made by my friend, Mr. Jammadas Mehta. I happen to be one of those few who in the month of April last went round with some of my friends though not as member of this Defence Consultative Committee to see all these places where men are trained, where ammunition and ordnances are manufactured. The first thing that I would like to take up is this. Though the functions of the Consultative Committee are not defined, I consider that the primary one is recruitment for King's Commissioned Officers—officers for the emergency commissions—and the recruitment of Indian soldiers. It was alleged—and Mr. Jammadas Mehta has said—that there is a good deal of *hocus pocus* business in this selection of officers for the King's Commission; and he could not understand what was meant by suitability; my friend, Dr. Rahman, gave a few instances and left the

thing as vague as he could leave it. I am now going to tell you something from my own personal experience how fit persons are rejected and unfit persons are selected. In August 1940 a number of persons—qualified physically and medically and educationally, because, they were graduates and had got doctor's certificates and had the leader's qualification because they were officers in the University Training Corps—I expect that nobody would be an officer in the University Training Corps unless his superior officers considered him to be a proper person to be a leader . . . . .

**Lieut.-Colonel M. A. Rahman:** Not necessarily.

**Mr. Govind V. Deshmugh:** Then it all depends on your own volition as to his suitability or not. These are the tests. Persons who belonged to a particular caste—and I am not afraid to declare it on the floor of the House—persons who were Brahmmins were rejected as officers for the King's Commission as well as Indian soldiers on the ground that they were Maharashtra Brahmmins. Then, in that year 1940, I started an agitation and it went on for about three months—I went to the length of saying that if these Provincial War Committees do not help these boys, then what is their business? Was it merely to go round collecting money? They ought to help these people. Government must make themselves very clear on this question whether they merely want money or men. I afterwards said this in one of my articles in the newspapers through which I was carrying a propaganda that if the Government are not prepared to take our men who are qualified and fit in every way, physically and educationally and in every way, then the elected members on these War Committees who were members of the Provincial Council or Council of State should be made to resign and public meetings should be held and no money should be contributed . . . . .

**Sir Gurnath Bewoor:** Sir, I am afraid the discussion is going far beyond the particular motion, which is purely for the election of a Defence Consultative Committee: this has no reference to the suitability or unsuitability and the method of selection of officers.

**Mr. Govind V. Deshmugh:** My friend was referring to it that persons are selected as officers though they are . . . . .

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Since a point of order has been raised, I must say that a discussion on this matter has already been going on for some time.

**Mr. Govind V. Deshmugh:** The motion is so widely worded that it is not our fault; and you have allowed other Members to go on with it. Now, what happened was this: all those papers were sent to the Defence Department and it so happened that persons who were rejected were taken in and telegraphic orders were sent that these persons should be accepted. I wanted to show that there were particular castes banned—I do not say it exists now and I will give the reasons why it does not exist now. Let me say something about the selection when persons are interviewed. While I was going round I happened to go to a place which shall remain unnamed—that is the procedure ordered I suppose and followed by newspapers—they do not mention the names of places where ordnance are being manufactured or where officers and soldiers are trained—I went round and

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got into conversation with a Brigadier, and I started this topic of listed and non-listed and martial and non-martial and I asked "What is your experience of the candidates selected and sent over here? Is every one a qualified man?" And he told me he made no distinction between martial and non-martial and that "25 per cent. is wastage." These are his words. Then I asked him how he explained it. There is the Provincial Committee on which there are qualified military members and others who test that boy and ask him all sorts of questions and then he goes before the final selection committee and there is a military officer there—as my friend told me, he has been selecting men for the last five years—he goes through all this procedure and how is it that there is this high percentage of wastage? This is his reply: "There is a good deal of nepotism in it." I am quoting his very words. I can mention his name in private—but not in public; he was very frank and candid to me. When I cross-examined him about this high percentage of wastage, there was no other go for him but to come out with the real explanation that there is a great deal of nepotism. After examination and interview by the Chairman and different persons and even my friend, Dr. Rahman, is there—there is this 25 per cent. of wastage: what does it mean? It means that our money is being wasted. What happens to these boys I asked the Brigadier. Is there any scope for them? He told me: "We ask them whether they will become clerks or join this or that department and if they agree they are sent there." But the fact remains that so much money is being wasted; and nobody ever cared to see through it and I do not know whether this Consultative Committee has ever gone into this question. Now, this is so far as wastage and suitability are concerned. The same was the case with regard to the selection of Indian soldiers to the army at one time, and as the same arguments apply to this aspect also, I shall not repeat those arguments.

Then, Sir, my friend said that they selected those people who were leaders, who had the qualifications of leaders. And what are the qualifications of persons who want to be leaders? The qualifications, he told us, are that they, I mean the people who want to be leaders, should know their men, their grievances and so on. Now, how can you find out from a person who is to be interviewed that he knows his men because he had no men under him at all. One can only say that these are necessary qualifications for a leader, and his fitness for leadership can only be tested when he is actually placed in charge of men. After all, these are ordinary qualities which will be found in every one, whether in the army or in the civil line, because a man who is in charge of his men either in an office or, for instance, in a textile mill or in the army, generally knows the needs of his men. But how can my friend tell beforehand that so and so is competent to be a leader of men? I do not know if my friend has the horoscopes of these candidates before him to decide this matter or whether there is someone in the Consultative Committee who knows, how to read the horoscopes of the candidates appearing before the Selection Committees.

Sir, those who have studied Maharashtra history will readily realise the point I wish to make. Everybody knows the name of the Peshwa Bajirao I. Who were his generals? Men like Holkar, Shinde and others, persons who had no martial traditions in the family but created them; in fact in those days anybody who had served in the army could become a general provided he showed the necessary qualifications. They were all

ordinary men possessing commonsense in addition to courage and bravery, and they were placed in charge of large armies,—and everybody knows the bravery and valour which they displayed in those days, and conquered provinces in India.

**Dr. P. N. Banerjee:** Sir Gurunath is himself a Maharashtrian and he ought to know it.

**Mr. Govind V. Deshmukh:** Nobody can say that because a certain candidate has come from a family having a record of martial traditions he will become a good general. It is quite possible that if in a family with good martial traditions there are ten members, one of them at least out of ten members may possess some of the martial qualities, but others will not. But you cannot say that you can turn out soldiers and generals from a family as you turn out motor cars from Fords factory, inspite of its martial traditions. You cannot standardise like this and say because so and so belongs to such and such family, he would become a good general. To suggest such a thing is to favour nepotism. My friends ought to remember this. At one time it was thought that not more than 25 cadets would be fit enough for selection to the army, but now what is the position? Now, there are so many officers, and what is it that has brought about this change? You are not in a position to reject men indiscriminately as before, because, we all know that the war danger is approaching the shores of India, and, therefore, you cannot exhibit the same amount of distrust in Indians, because, you want the army to expand. You must have officers to man the men. The necessity is growing daily, and it is this necessity which makes the Government to select more officers and men for the army brushing aside their prejudices or mistrust against certain classes. Recruitment has come to some people as a boon out of this evil war, because, persons who were not considered fit to lead an army, people who were not considered fit even as soldiers, have suddenly been taken in, and they have now got an opportunity to establish their claims. One might as well thank Hitler for this, though one may not like this terrible war. So, it is under these compelling circumstances, that Government had to brush aside all these prejudices and so-called objections against certain classes of people. Therefore, Sir, it is necessary to democratise and nationalise the army. Do not stick to these prejudices against certain provinces or certain classes. Till recently, just as it was in England, only sons of rich men or Lords got into the army without much difficulty as officers. Do not stick mainly to these richer classes for recruiting your officers. Anybody who is educationally, medically and physically considered fit should be given a chance, and it is too late in the day to suggest on the floor of the House that people of such and such province or of such and such class alone are fit for recruitment as officers. As a matter of fact, this argument has been placed before the House so many times that it has lost all its novelty, it has lost all its importance and its efficacy as well, because, those who know Indian history also know very well that the army with whose help the Britisher conquered this country originally came from Madras. Then the Biharees helped the British to conquer the Punjab. What is the good of flinging this argument at us and saying that only the Punjab can produce the best soldiers, the best commanders and the best generals. There should be no attempt whatever made to differentiate between province and province in this matter.

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Then, Sir, my friend, Mr. Jamnadas Mehta, said that certain persons are nominated on this Committee who, on account of their age or habits, are disinclined to take interest in the work they are expected to do, or that they are not anxious to see certain things at the several places they are taken round. My friend, Colonel Rahman refuted that charge. But I for my part again substantiate the charge which my friend, Mr. Jamnadas Mehta, made, and I wish to suggest that, if really members are to be elected or nominated, such election or nomination should be made from persons who are prepared to take a keen interest, in the work before them, persons who by age, experience, and powers of endurance are fit enough to discharge their responsibilities when going round the various places. I may say here that there were certain colleagues of mine when we went round, and they were only too anxious to go back when we visited one or two places. They said: 'What is the use now of going round like this? Why not go back? This is hot summer, why not let us go back now?' Now, my point is, why should such people undertake to assume this responsibility of going round the various places if they cannot stand the strain, if they have no aptitude or interest in the work they are expected to do for the country? If they consider that it is a matter of privilege or honour to serve on a Committee, they should seek membership on other committees. I do not know whether by being associated with the Defence Department in this manner they get any additional privileges. Anyway, I think that the Government ought to bear in mind in selecting people for this Committee not merely the age of the person to be selected, but also his antecedents and they should see whether he has the aptitude to do that work. They should find out whether he has ever taken any interest in army matters,—not merely by putting questions in this House if he has the courage and interest to do so, because, certain people are lacking even that much courage and interest. Government should see whether the person whom they will select for this Committee would make use of all the opportunities afforded to him for the public good.

Having said this, let me point out another thing. When I went round and had conversation with some of the gentlemen in different places somewhere in India, I came to know that in the month of April our Government, or I should say the Defence Department, was so slack, so lethargic, so indifferent to the real nature of defence that they did not utilise the capacity of several workshops or factories to the extent that they were at that time available, which meant that the Government were not really enthusiastic. They were enthusiastic only so far as collecting funds was concerned. That was my firm conviction then, because, I made enquiries as to how many persons had come from different provinces, whether registers were maintained, and all that, and I found that some of the things which could be manufactured in some of the places were merely repaired, and not manufactured. I asked, "Could not these be manufactured here?" They said, "Yes, provided we could get some things from America because it would take some time to manufacture them", and it was not difficult then to get them. This department is moving in such a slow manner—and I do not know whether, excepting Hitler's Government, all other Governments go in this slow fashion, because, it was the same thing in England and there was a hue and cry about her being ill-prepared and all that. There it was total slackness, redtapism, here it is total mistrust, distrust of the Indians in addition to redtapism. They were not prepared,

they were not prepared to go to the length to which they could have very well gone warranted by circumstances then existing. It is the compelling necessity of the war, the condition of the war, the war approaching towards the borders and outposts of India, which makes them move a little. If the Consultative Committee could give it a momentum, then it is well and good; otherwise just a few people going round or whether they go round or not, attending lunches given by brigadiers or dinners given by brigadiers—that sort of thing . . . . .

**Lieut.-Colonel Sir Henry Gidney:** What about the *laddu* and *jilebi* lunches?

**Mr. Govind V. Deshmukh:** I do not know about other lunches.

**Lieut.-Colonel Sir Henry Gidney:** What about *laddu* lunches?

**Mr. Govind V. Deshmukh:** *Laddu* lunches were never given to us. This is one thing. Otherwise it is useless for this Consultative Committee to be in existence, merely given to us as a sop, and showing to the country and the world abroad and America, "Look here. We have given these people this Defence Consultative Committee". My Honourable friend was very wise in not making a speech and disclosing to us what were the different functions. If merely the motion that is passed goes abroad, then the people in England and in America will say, "Look here. Here is a committee of their own people. Indians going round, exerting themselves irrespective of what other people are saying that they are not helping the war and that the Government are not really stimulating their efforts."

Another thing I wish to say is this. Of course, we have to anticipate many things because, as I have said, there was no opening speech giving us points. I want to know whether there would be any co-ordination between the National Defence Council and the Defence Consultative Committee. If there is not, what is going to be the result? Certain persons have had the advantage of going round and knowing the conditions in their own provinces. They have formed their own opinions and there are others who are moving in a different circle. They may or may not move about, because, some of them are big folks, they may attend teas and dinners and all that. If these two circles do not coincide and do not come together, the result would be nil. There is, therefore, a great necessity for the co-ordination of the activities of these two committees. One should like to know from the Honourable the Mover of the motion whether there is any such intention or not.

Let me say this about the number. I strongly support the plea advanced by my Honourable friend, Mr. Husenbhai Laljee and others, that this number, six, is too small, and that this should be increased. Of course, we were not allowed to draw any comparison between this House and the other House. I do not want to draw any comparison as regards the merits or demerits of the members of the other House, but certainly on the numerical strength we are entitled to more. We may not make comparisons which may be odious as regards the qualities or qualifications of the members of the other House and this House, but we can surely say that on the total strength of the elected members we are entitled to a much larger number than what is mentioned in the motion.

I take it that the real object or the main object is that the Government wish with the help of this Committee to create enthusiasm among the



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people, that the people should with enthusiasm come forward and offer themselves either as doctors or as soldiers or emergency commissioned officers or as technicians. To win over the people, let me say this. I echo the resolutions passed and the speeches made and the points emphasised at the Non-Party Leaders' Conference at Poona to the effect that unless political prisoners are released and a declaration about the status of India, national as well as international—unless a declaration like this is made immediately that within so many years after the war we shall have that status, enthusiasm could not be evoked. Let me say this because it has been said not merely by the Non-Party Leaders' Conference, but even by the Anglo-Indian papers. Take the *Times of India*. I have found many a time the Editor saying therein that the suggestion is a good suggestion and he sees no reason why the declaration should not be immediately made that after so many years the status of India will be the status of self-governing colonies. He says there should be a recognition, there should be a declaration immediately in how many years India will attain Dominion Status after the war. There was also the statement made by Sir Sikandar Hayat Khan who said that if such a statement was made immediately fixing period about India's status there would be great enthusiasm. There was the Indian Christians' Conference which passed a resolution on similar lines. All these bodies reflect public opinion. Nobody is interested in saying that we should not help the Government. All these bodies are keen on helping but when they go out and meet their constituents they have to tell them what we are fighting for. So, unless this declaration is made and the other defects are removed, one would not see great enthusiasm in the country. Everybody who resents the Governments' attitude of want of proper response, everyone, who says that is no sufficient response on the part of the Government, yet says, we shall help the Government, we shall help the Government. That is the resolution passed by everybody, but because such a body has passed such a resolution the Government should not think that the response from the people is satisfactory, they should realise that the response given by the people is capable of being expanded, that there can be a greater response. You can get many more millions of men. The war is getting nearer, and, if, unfortunately, the war comes nearer, then it will be the twelfth hour and not the eleventh hour. In the case of France you were prepared to make a sort of Anglo-French Union and constitution, Mr. Churchill never cared whether the House of Commons should meet and whether the Prime Minister should make a statement and get that declaration ratified by the House; emergency requires that such steps as are required for appealing to the people of that particular country or your allies—such steps ought to be taken.

In conclusion, Sir, I would say that there should be a proper procedure

3 P.M.

followed by this Committee as regards the agenda, and the subjects to be discussed. If it is merely going round and seeing the ordnance factories and there is nothing else to be done, then there would not be even among those members of the Committee any zest left to go round. If they are taken after a period of some months, and people are very inquisitive, they may make inquiries and come to know how far we have advanced but that is not the thing. As war is coming nearer and nearer, you must repeat the consultations as frequently as possible and not have them only once in three months or six months. With these words, I support the motion.

**Sir Gurunath Bewoor:** When I moved what appeared a perfectly simple motion, I never expected to have a debate upon it of such length. This however merely indicates the very keen interest which this House takes in all matters relating to the defence of India, especially at a time of such emergency and crisis as we are in. Sardar Sant Singh accused me of not having made a somewhat long speech explaining what the committee is intended to do.

**An Honourable Member:** We want a long speech from you.

**Sir Gurunath Bewoor:** I know my friend, Sardar Sant Singh, is a great student of politics and I expected that he would have read all about this committee when it was announced in the public Press and the procedure which we intended to follow to fill up the membership of the committee, pending the meeting of the Legislature. Perhaps it has escaped his attention and I think I cannot do better than read out a small portion of what was then published.

It was then announced that the committee is a Departmental Committee of the Defence Department. It would be presided over by His Excellency the Commander-in-Chief and will meet whenever called by His Excellency but not less often than once a quarter. Its proceedings will be formal and strictly confidential. The agenda will be circulated beforehand to members of the committee and its meeting on each occasion will be opened by a statement on the war situation by the Commander-in-Chief. The object of the committee was explained as being the anxiety of His Excellency the Commander-in-Chief to establish a direct contact with representatives of the Legislatures and the committee will be constituted for the time being only with the help of the Party Leaders but as soon as the Legislatures meet a motion would be made for its election. The Commander-in-Chief was confident that he would receive valuable advice on matters affecting defence from the non-official representatives and will in his turn be able to give them a regular appreciation of the situation and keep them confidentially informed in a way which will assist them in the performance of their public duties.

Sir, the committee will undoubtedly give great help to the Defence Department and we are anxious to utilise their advice in all matters in which we feel that they are qualified to advise. It is quite understood that they would not be able to advise us on many matters such as military operations and things of that kind but there are numerous matters in which their advice would be extremely useful. It is not possible to give an exhaustive list of what those matters are but various matters might arise from time to time, in which we would feel that their advice would be extremely useful.

Then, Sir, I have been asked what is the relationship between the National Defence Council and the Defence Consultative Committee. The names of these two bodies should be sufficient to explain the difference. One is a committee of the Members of the Assembly and of the Council of State. The other is a body which is constituted by His Excellency the Viceroy and contains representatives from all over India including the Indian States. This has nothing to do with the Defence Department. As regards the numbers we have already taken into consideration the great interest which members take in matters of defence and that is why this

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committee has been constituted with a total membership of ten, whereas the usual Departmental Advisory Committees consist of six members. We consider that any further increase would militate against the utility of this committee. Too large a number would defeat the very purpose we have in view. (Interruptions.)

It is laid down that the ordinary Standing Advisory Committees should consist of six members, four of this House and two of the other House. We feel that a membership of six is sufficiently representative of the interests of this House. As regards the proceedings of the committee, from the very nature of the case, they must be confidential, as they deal with matters relating to the war but there are certain matters in regard to which the members are not required to keep any special secrecy. My friend, Mr. Jamnadas Mehta, complained that we have not had more meetings or more trips. We extremely regret that it has not been possible to have more than one meeting but according to our undertaking there ought to be one meeting at least a quarter and we hope to have another meeting in this quarter. The tour was essentially intended to be an instruction to the members of the committee. To me it was a great education and I am sure all the other members also felt that it was a great education to them and they were able to appreciate the complexity of modern warfare. It is no longer the old method of warfare, where a strong arm and a sturdy heart was enough. You need much more in these days, much more technical education, knowledge regarding most complicated machinery and I am sure members of this committee who go round will be in a position to appreciate the great complexity of modern warfare and the kind of things that have to be prepared before you can put a force in the field. We are extremely anxious to give the members of the committee as much knowledge as possible and to give them the opportunity of visiting the factories and institutions not only in this country but also Overseas. It must be remembered that the Supply Department is concerned with the provision of munitions and the Supply Department has its own committee of this House.

I do not wish to enter into the very long discussion which unfortunately started about the Central Interview Board and also the discussion which my friend, Mr. Deshmukh, wanted to start on a subject on which he wanted to move an adjournment, which was disallowed. These are questions which if they are raised in the Defence Consultative Committee we shall be very happy to explain and try to meet the various arguments and considerations which have been put forward. But I would like to assure the House that there is now no question of martial or non-martial classes or of listed or non-listed classes. The Central Interview Board consists of the President and one Military member and two Indians of high status. Now, we are going to have shortly two Interview Boards instead of only one. One will tour about the Southern Command at selected centres and another will be in the Northern Area. On both these bodies there will be two Indian gentlemen of well-known high character and status and we must trust to the best judgment which they can exercise in making selections. It is quite possible that there may be differences of opinion. As my friend, Mr. Deshmukh, said, if there was 25 per cent. wastage even on the present method of selection, it is feared, if we are very generous or we do not properly observe the various considerations, the wastage may be greater. However, all I wish to assure is that that there is no question of either distrust or of any class distinction, but there may be mistakes made by the

Board in either rejecting or accepting the candidates. We only hope that the Boards will improve by experience and, as my friend, Colonel Rahman, has already said, the percentage of acceptance was recently as high as 70, and we have now got what is called a pre-cadet class where candidates who appear to be doubtful are sent for a preliminary training and then they are given a second chance. I trust, therefore, Sir, that any misapprehension that may be in the minds of the Members will be removed. Whatever other remarks have been made merely go to indicate the necessity for the type of the Defence Consultative Committee that I have proposed and I trust the House will support it.

**Babu Baijnath Bajoria:** Will the proceedings of this Consultative Committee be available to the Members of the House?

**Sir Gurunath Bewoor:** No.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, six non official members to serve on the Defence Consultative Committee."

The motion was adopted.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** I may inform Honourable Members that for the purpose of election of members to the Defence Consultative Committee the Notice Office will be open to receive nominations up to 12 noon on Thursday, the 30th October, 1941, and that the election, if necessary, will, as usual, take place on Tuesday, the 4th November, 1941, in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

#### THE INDIAN INCOME-TAX (AMENDMENT) BILL.

**The Honourable Sir Jeremy Raisman (Finance Member):** Sir, I introduce the Bill further to amend the Indian Income-tax Act, 1922.

#### THE EXCESS PROFITS TAX (SECOND AMENDMENT) BILL.

**The Honourable Sir Jeremy Raisman (Finance Member):** Sir, I introduce the Bill further to amend the Excess Profits Tax Act, 1940 (Second Amendment).

#### THE FACTORIES (AMENDMENT) BILL.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member):** Sir, I introduce the Bill further to amend the Factories Act, 1934.

## THE MINES MATERNITY BENEFIT BILL.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar** (Commerce Member): Sir, I introduce the Bill to regulate the employment of women in mines for a certain period before and after childbirth and to provide for payment of maternity benefit to them.

## THE WEEKLY HOLIDAYS BILL.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar** (Commerce Member): Sir, I introduce the Bill to provide for the grant of weekly holidays to persons employed in shops, commercial establishments, restaurants and theatres.

## THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

**The Honourable Sir Sultan Ahmad** (Law Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

**The Honourable Sir Sultan Ahmad**: Sir, I introduce the Bill.

## THE CODE OF CRIMINAL PROCEDURE (SECOND AMENDMENT) BILL.

**The Honourable Sir Sultan Ahmad** (Law Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Second Amendment).

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898 (Second Amendment)."

The motion was adopted.

**The Honourable Sir Sultan Ahmad**: Sir, I introduce the Bill.

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I do not want to move my motion\* today.

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“(1) \*That Mr. A. C. Datta be appointed to the Select Committee on the Bill to simplify the procedure in appeals to the Federal Court in place of the Honourable Mr. M. S. Aney whose seat on the Committee has become vacant,

(2) that the Honourable Mr. M. S. Aney be re-appointed to the Committee in place of the Honourable Sir Reginald Maxwell, and

(3) that Dr. F. X. DeSouza be appointed to that Committee in place of Mr. R. A. Gopalaswami who has ceased to be a member of the Assembly.”

## THE INDIAN INCOME-TAX (AMENDMENT) BILL.

**The Honourable Sir Jeremy Raisman** (Finance Member): Sir, I move:

"That the Bill further to amend the Indian Income-tax Act, 1922, be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmad, Mr. J. F. Sheehy, Mr. C. W. Ayers, Mr. T. Chapman-Mortimer, Mr. Huseinbhai Abdullabhai Laljee, Babu Baijnath Bajoria, Khan Bahadur Sir Abdul Hamid, and the Mover, with instructions to report on or before the 5th November, 1941, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The mention of Income-tax amendment Bills is liable to arouse emotions similar to those which arise in the dentist's chair, but I would remind the House that even the dentist occasionally performs operations or processes which are soothing and relieving rather than painful or exasperating, and I think I am right in claiming that this measure is mainly a measure which will have the effect of soothing the feelings of the taxpayer rather than otherwise. One of the most important clauses of this Bill is one which alters the basis . . . .

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadian Urban): You are referring to clause 8.

**The Honourable Sir Jeremy Raisman**: I am referring to clause 10. I was about to say that one of the most important clauses is one which alters the basis of liability to income-tax in relation to income arising or accruing in Indian States. When the Act was amended in 1939 by the adoption of the residence basis, all income accruing or arising in an Indian State became liable to tax in the hands of a person ordinarily resident in British India; and in the case of a person resident but not ordinarily resident, all such income arising from a business, profession or vocation controlled or set up anywhere in India, that is, including the States, became so liable. At the time when this increase in the scope of the tax was made, the Indian States themselves had not adopted the residence basis and it was not anticipated that they would. I think it is right to say that we did not perhaps visualise clearly the effects of such a step on the part of the States. The problem has now arisen in a practical form owing to the adoption of residence basis by certain States. While our law remains unaltered, it is somewhat difficult for us to object to States following our example in adopting this basis, nor can we, without causing great hardship to the taxpayer refuse to make arrangements with such States for double income-tax relief. But the result of such arrangements will be exceedingly serious to our revenue. I cannot give even an approximate estimate of the amount involved, but our examination of the position has made it clear that the amount of revenue which we should have to forego by reducing the scope of the charge, as we now propose in this Bill, is small in comparison with the amounts we might have to pay out in double income-tax relief if we adhere to the residence basis in the case of States. We have, therefore, endeavoured now, in modification of the previous policy to arrive at a basis which can serve as a firm basis for double income-tax relief arrangements with the States.

We feel that if we get back on to this basis, we can take a perfectly logical and fair line with the States. We can say to them, if you do not trench on our fiscal jurisdiction any more than we do on yours, then this is the basis on which we are prepared to give double income-tax relief arrangements. In other words, any State which goes no further beyond

[Sir Jeremy Raisman.]

its own borders than we do now will be entitled to claim that the double income-tax relief provision should be extended to that State and we shall be prepared to enter into double income-tax relief arrangements with them. I hope I have made the position as clear as it is possible to do in a technical matter of this kind.

**Sir F. E. James** (Madras: European): I want to put one question. Has any definite arrangement been made with any Indian State or with any group of States on the basis of provisions now sought to be introduced?

**The Honourable Sir Jeremy Raisman:** We have not yet made arrangements on this basis, but my intention is that on the adoption of this basis we shall be prepared to make such arrangements, and it follows from that that in the case of a State which attempts to adopt the residence basis which we now propose to depart from, to discard in effect, in the case of a State which attempts to adopt that basis in relation to British India, we shall not be prepared to enter into double income-tax relief arrangement with such State. That is an important change from anything we have done hitherto. We have hitherto implied that we were prepared to adopt double income-tax relief arrangements with any State which had an income-tax system. We cannot adhere to that without subjecting ourselves to the possibility of a very serious disadvantage, because States may adopt a basis which trenches far more heavily and in our opinion unjustifiably on the taxable capacity which belongs to British India than we think fair. We are not prepared in those cases to accept the arrangement. I do not think I should go further into this matter because as this Bill is going into the Select Committee, there will be an opportunity for further explanation of the position in the course of the proceedings.

Another important concession which is included in this Bill is in respect of depreciation with reference to the calculation of written-down value. As the Act stands, in arriving at written-down value, deductions are made in respect of amounts of depreciation which have never been allowed with the result that an assessee may in the long run be allowed less than the full cost of his assets. It is now proposed to remedy this by deducting only depreciation which has actually been allowed.

Two other amendments with regard to depreciation may be mentioned here: clause 7 which provides for depreciation on industrial buildings let out on hire, and clauses 6 and 13 which give priority to the allowance for losses over the allowances for depreciation. Since losses can be carried forward for only six years, while depreciation can be carried forward indefinitely, this provision is necessary to secure to the assessee the benefit of the carry forward of losses.

The other provisions which I may mention and which alter the scope of the tax or reduce the quantum are: clause 3, which slightly expands the existing exemption by including all official representatives of other Governments on the basis of reciprocity, and State and Nepalese Forces serving on with His Majesty's Forces, clause 4 which expands the definition of residence so as to cover the case of a person who comes to reside in British India, but is not here long enough in his first year to qualify as resident for that year. It seems to us unfair to treat such a person as a non-resident and tax him at higher rate than the resident. There are certain amendments which somewhat increase the quantum of assessable income. These

are done in clauses 13 and 14. Clause 14 corrects anomalies in section 25 for which we consider there is no justification. Briefly the object of sub-sections (3) and (4) of section 25 is to provide for the effect of the changes in the assessment basis made in 1886, 1918 and 1922 Acts. As a result of those changes, an assessee, but for these sub-sections, would have had to pay tax for one year more than the number of years he has been carrying on business; but this consideration does not apply to super-tax on companies except to the limited extent provided for in the present amendment. We have found, in practice I may say, that there has been a tendency to take advantage of this discontinuance of provisions, and it may even be said to be in the nature of an abuse. The idea is to take advantage of the provisions at a time when the rate of taxation is higher, to cash in, so to speak, the concession allowed by the Act at the most favourable time. The amendment does not directly counter that. What we see no justification for continuing are the concessions in respect of super-tax or companies where considerations on which the concessions were based do not apply. In other words the amendment seeks to withdraw from companies and in respect of super-tax, the concessions which were intended to save them from being assessed for one more year than they had actually been in business. It limits the scope of section 25 to what was originally intended and is justifiable.

Clause 13 contains an amendment in regard to unregistered firms. It allows an unregistered firm whose constitution is changed to set off only the amount of its loss which is attributable to persons who are partners in the previous year. It was never intended that other partners under such circumstances should get the benefit of the retiring partners loss.

So far as profits are concerned the intention is correctly expressed in the first proviso to section 26(1) which provides for the apportionment of profits between partners entitled to receive them. I pass over some of these amendments which it is difficult to explain on the floor of the House any better than is already done in the notes on clauses. But there is an important amendment to which I must draw attention in clause 18 which seeks to restore the Commissioner's powers of revision. These powers were abolished on the recommendation of the Select Committee on the Income-tax Amendment Bill, 1939. I am afraid it was not then sufficiently realised that almost invariably the Commissioners had used their powers of revision in order to give relief to assesseees. It was very exceptional or comparatively exceptional that the Commissioner's power of revision was used in the opposite direction. Since then it has become apparent that there is a real need for some provision by which relief can be given to assesseees in cases where relief is clearly indicated and in cases where an assessee ought not to be put to the trouble and expense of going to the tribunal. It may be a case where the amount involved is not worth an appeal to the tribunal; that is no reason why the Commissioner should not exercise his power to rectify and injustice or hardship. I propose, therefore, in this Bill to give the Commissioner power to revise assessments in favour of the assessee. He will not be able to enhance any assessments or pass any other order prejudicial to an assessee. But,—and there is a fly in this jam-pot too,—in order to prevent Commissioners from being flooded with applications,—and I may mention that previous to the abolition of these powers there used to be as many as two thousand applications a year in Bombay alone,—I propose that a fee of Rs. 25 should be charged for an application to the



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Commissioner to exercise his power. I am quite satisfied that if there is no such deterrent to petty and frivolous applications, the Commissioners will be overwhelmed and will be unable to cope with the work. I would point out that in a great many cases where relief is clearly due the income-tax authorities will, on their own initiative, report the facts to the Commissioner with a view to obtaining relief for the assessee; and lest Members should be disturbed about the case of assessees who do not find it worthwhile to deposit the 25 rupees I may say that I am prepared to have instructions issued to the Commissioners to give relief in this type of case, that is, without an actual application by an assessee accompanied by a fee. I would point out, whilst on this clause, that the scope of the proposed revisional powers of the Commissioner will be restricted to cases which have not gone to the income-tax tribunal and will not be exercised in cases in which recourse to the income-tax tribunal is still desired by the assessee.

Finally, there is a provision to which I attach some importance relating to the Collector's power to recover income-tax demands. At present the Collector may recover such amounts as if they were arrears of land revenue, and in addition he has the powers of a civil court in respect of attachment and sale when debts are due from an assessee. It has been found in practice that the powers for the recovery of land revenue are inadequate for recovering large amounts which may be due for income-tax; and it is therefore proposed that the Collector shall, for the purpose of recovering income-tax demands, have the powers which a civil court has for the purpose of recovering an amount due under a decree.

The remaining provisions of the Bill are mainly designed to improve the machinery and to give assistance to the assessee, for instance, in regard to filing appeals.

Sir, I apologise to the House for the somewhat technical nature of some of the explanations which I have had to give them, but I am afraid it is inevitable that income-tax legislation should be of a somewhat complicated and technical character. I hope that in the course of Select Committee proceedings it will be possible to impart greater lucidity to the objects of this measure.

Sir, I move.

**Mr. Deputy President (Mr. Akhī Chandra Datts):** Motion moved:

"That the Bill further to amend the Indian Income-tax Act, 1922, be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmad, Mr. J. F. Sheehy, Mr. C. W. Ayers, Mr. T. Chapman-Mortimer, Mr. Husenbhai Abdullabhai Laljee, Baba Baijnath Bajoria, Khan Bahadur Sir Abdul Hamid, and the Mover, with instructions to report on or before the 5th November, 1941, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

**Dr. P. N. Banerjee:** Sir, in the Statement of Objects and Reasons appended to this Bill it is pointed out that the object is three-fold. I will discuss these objects *seriatim*. In the first place it is pointed out that there is an exemption in regard to the basis of taxation of foreign

incomes. In this connection I believe Members of the House remember that when the Income-tax Act of 1939 was passed, it was urged from this side of the House that the accrual basis which replaced the old remittance basis was not a fair one, and appeals were made to the sense of justice of the then Finance Member of the Government of India. But those appeals fell on deaf ears. Now, however, the situation has changed and Government have begun to realise that in certain cases at least the basis is not a fair one. I would have welcomed their change of attitude if it had come as a result of introspection or as the promptings of the inner voice; but that is not the case. It is because some of the Indian States have begun to retaliate and to pay Government in their own coin that they have realised their mistake. If they had not done that perhaps the Government of India would have gone on perpetuating the injustice for ever. However, better late than never. But I should like to ask in this connection, why should the application of the remittance basis be confined only to Indian States? Why should it not be extended to Burma, to East Africa and to South Africa? Well, because those countries have paid you back in your own coins, therefore you are not considering those cases. Now, the only justification which was urged on behalf of this accrual basis was that the Government of India wanted money. But is that a sufficient justification? Government of India want money; therefore, are the Government of India entitled to steal or rob? I don't object to the present attitude of the Government. The decision is right, but it should have been arrived at in 1939, and now this decision should be extended to other cases.

Coming to the second object, I find that it is pointed out here that some concessions have been made, but while some concessions are being made others are being taken away. So in that respect it is not much of an improvement—some concessions are being taken away and other concessions are being made. Now, if the concessions which are sought to be taken away by this Bill were left intact, then the people would have greatly appreciated the present change in the attitude of the Government.

Thirdly, the object is to clarify some of the provisions of this Bill, and, lastly, some defects and omissions are being removed. Now, why has it been necessary to clarify some of the provisions? We all know that before the Income-tax Act of 1939 was passed, a committee had been appointed consisting of experts from England who were brought out here with a great deal of trumpeting and after finishing their report these experts also sat as expert members of this House. Even then it has been found necessary to amend the Income-tax Act of 1939 several times. This does not redound to the credit of the Government.

**The Honourable Sir Jeremy Baisman:** There is no finality in Income-tax legislation.

**Dr. P. N. Banerjee:** It is because when any difficulty was pointed out in this House, the Government did not accept the views of the Opposition and their policy thus was to legislate in a hurry and then to repent at leisure. However, I must say that it is quite right to remove defects and make good the omissions. But you are removing only the minor defects and making good small omissions. There are many major defects left in the Bill and there are many important omissions. It is high

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time that these should be rectified. For instance, in regard to exemptions, we have not adopted in this country the system of allowances in respect of children and a wife, nor have we discriminated between 'earned' income and 'unearned' income. These are very serious defects which exist, and opportunity should have been taken on this occasion to remedy these defects.

It is pointed out in this Bill that opportunity has been taken for the restoration of the Commissioner's powers. I welcome this decision but this has been coupled with a fee of Rs. 25. That seems to be a rather heavy fee; it may prove to be a heavy fee in some cases at least not always. Therefore, I would advise the Government either to reduce the fee or to fix a scale according to the value of the assessee.

Another point to which I may refer is that the Income-tax tribunal is allowed to work temporarily in the absence of an equality of members on the accounting side and on the legal side. This is quite right. The present wording of the Act is unhappy and the proceedings of the Tribunal should not be rendered invalid because of the disparity on the two sides, but it should be provided here that this temporary disparity should not last for a long time. If there is a vacancy on the legal side, it may be allowed—unless this clause is amended—to continue for a long time. Therefore, some period should be fixed here beyond which this vacancy should not be left unfilled. There are also various other defects in the Bill which I hope the Select Committee will consider.

I would ask the Finance Member, who, I believe, is a little less extortionate and a little more conscientious than his predecessor, to consider the main defects and omissions and recast the Bill in such a way that it may be welcomed by all sections of the community.

**Babu Baijnath Bajoria** (Marwari Association: Indian Commerce): Sir, I am glad that even Sir Jeremy Raisman has introduced a Bill which gives some concession to the assessees. He has always been raising taxes every six months, but I apprehend that this is only, so to say, washing off the tears and probably he is sharpening his razor and making himself ready to give the assessees a much harder blow either in this Session or, if they escape in this Session, in the Budget Session. Anyway we must give him the credit for giving some relief which he is proposing under this Bill, which I welcome. But, Sir, I would like to draw attention to one or two points for his consideration so that he may consider these points before the Select Committee meets.

Sir, this Bill seeks to give relief to the tax-payer from the double income-tax relief proposal in the case of certain Indian States which, following the example of the Government of India, have been enacting Income-tax Laws similar to the laws of British India. But the whole trouble in my opinion is due to this Section 49 dealing with double Income-tax relief which must go, because it is very much prejudicial to the interests of British India. It was pointed out at great length that this double Income-tax relief provision acts very adversely to the interests of India to the tune of, if I am not mistaken, over a crore of rupees. If that is so, this Bill is only a partial solution of this problem. As a matter of fact I would like both these sections to go—this section 49 as well as the section dealing with exemptions under section 60

to Ruling Chiefs and Princes: I am giving a friendly advice, and it will be very useful to the Finance Member if these two sections are repealed and he will benefit to the tune of at least two crores of rupees. There is also a great volume of opinion for the abolition of these two sections. I may be wrong about the actual figure, but it is very considerable. As a matter of fact, my community, the Marwari Community, come mostly from the Bikaner State and Jaipur; and in Bikaner under the guidance of an ex-Law Member of this Government they copied out practically this very Bill so that they may get an enormous sum of money from the community trading in British India. Apart from the burden of taxation, it is a question of harassment. The assessee has to show all their books and income both in British India and in the Native States and then claim double taxation relief both in British India and in the Native State. As far as the Native State is concerned I have no hesitation in saying that our greatest protest was due to this procedure, that we are very much afraid that once the tax is paid there, to get refund will not be a question of months or years but of decades. The provision in this Bill is only a partial solution. What is equitable is that income derived in British India should be assessed in British India and should be paid to the Government of India, while income derived in an Indian State should be assessed and paid in the State. I do not want this double taxation relief basis as regards Indian States and British India because it is a very harassing and annoying procedure.

Again the note to clause 8 says: "Such income (unless received in or brought into British India or unless assessable under section 42) will be exempted both from income-tax and super-tax but it will be taken into account in calculating income-tax and super-tax." It means that the rate of tax will be based on the joint income both in British India and Native States, and it means that the whole account has to be shown both in British India and in the Native States. Assessee and several chambers of commerce have objected strongly to this. What we want and what is fair is that the rate of tax should be for the total income in British India, and the rate of tax for income in the Native State should be the income in the Native States. There should not be accumulation of two incomes. That is my suggestion. There should not be any double income-tax relief basis as regards Native States and British India.

As regards what my friend, Dr. Banerjee, said about East Africa, Burma and other countries, they do not stand to gain by such reciprocal legislation; otherwise they would have done it long ago: the number of East Africans or Burmese in India is much less than Indians in those countries. It is the Government of India who are losing by giving double income-tax relief to this country. The clause is one of the most important clauses in this Bill and I hope the Honourable the Finance Member will give consideration to the point which I have raised so that it may be effectively dealt with in the Select Committee.

As regards the question of resident, ordinary resident, non-resident, etc., I must admit that these words as embodied in the Income-tax Act are very confusing: I cannot interpret them because I am not a lawyer, but even the best lawyers with whom I have discussed it are confused about the definition of these terms. The whole trouble has arisen on account of the acceptance of the accrual basis, which also formed the

[Babu Baijnath Bajoria.]

subject of a heated debate in this Assembly. It will be much better if the Finance Member will consider reverting to the former position of remittance basis.

I welcome the change made in this Bill as regards depreciation and carry forward of losses and I also agree to the restoration of the power to the Commissioner for revising and giving relief to the assessees. As regards Collector's powers to recover money due by the assessee as if it were a decree of the High Court, I would suggest that these powers are rather too wide. I would suggest that the Collector should apply to the Court and get the demand certified as a decree and then the demand will become a decree and will be executable as such. This is done in the case of arbitration awards, where a similar procedure is adopted by filing them. The assessee will have the benefit of a judicial decision, whereas in this case the Collector may be in some cases very hasty and too eager and over-zealous to recover.....

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Order, order: it is now 4 o'clock and we must take up the adjournment motion.....

**Babu Baijnath Bajoria**: Can I resume my speech later?

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Just as you wish.

#### MOTION FOR ADJOURNMENT.

##### ECONOMIC CONDITION OF COTTON GROWERS.

**Mr. Govind V. Deshmukh** (Nagpur Division : Non-Muhammadan) :

4 P.M. Sir, I move :

"That the House do now adjourn."

The Honourable Member for Commerce in one of the previous Sessions said that he would be glad to hear the voice of the agriculturist, and last Session I made him undergo that ordeal by my moving a Resolution expressing the grave concern about the condition of the agriculturists, particularly cotton growers, and specially growers of short staple cotton. The Honourable the Commerce Member then gave me an assurance that everything that was possible was being done to increase the consumption of short staple cotton, by asking the Supply Department and the Army Department to modify their specifications in such a manner as to suit the consumption of short staple cotton so that the agriculturists might be given sufficient relief.

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

After that the condition of the agriculturists has worsened. Everybody knows that Japan was our greatest consumer so far as short staple cotton was concerned. The Government of India issued an order freezing Japanese assets in this country, which resulted not only in restricting, but doing away with the import and export trade of India. With the rest of the items I am not concerned, but I particularly wish to concern myself with short staple cotton. Now, Sir, as the Japanese assets were frozen, no short staple cotton could be purchased by Japan, nor could it be exported to Japan. The result was, and still is, that short staple cotton which was last year quoted in my province say at Rs. 60 or Rs. 70 per

khandy, has gone down to Rs. 40 per khandy, and that too at a time when the cotton crop is not in the market. That crop is still in the fields. We, naturally, expect a higher price when the crop has not yet gone to the market, because there are tempting offers, and at present Rs. 40 per khandy appears certainly a very tempting offer. By making tempting offers they want the agriculturists to bring whatever short staple cotton they have available into the market,—and the agriculturist takes his crop to the market under the belief that when much cotton has not yet gone to the market, when the market is not yet flooded, he will be able to get a good price, and if large supplies of cotton get into the market the prices will go down. In other words, the agriculturist, if matters are not set right, would be in a very precarious condition. In fact, he is in that condition today,—he is virtually on death bed, and you have to give him some kind of injection to prolong his life for some time. If you do not do it, then he will completely succumb, and, afterwards, there will be no remedy left to revive him.

Sir, this is such an important subject that it concerns 70 per cent. of the people of India, and those who advocate the interests of Indian agriculturists, should certainly see to it that some relief is given to them at this particular juncture. Sir, I have given a general idea as regards the effect of freezing the Japanese assets in this country. Then we naturally expected that something would be done to give relief to the poor agriculturists as promise was held out to us in this matter in the last Session. I specifically mentioned in my speech last time that there was a Jute Conference, a Ground-nut Conference, and relief was given to Bengal and Bihar by convening a Jute Conference. Then I was told that if it became necessary a conference of persons or of interests concerned either with the growing or consumption of cotton would be convened. I was under the impression that that Conference very likely might be called, but so far it has not been called. Then I thought that very likely the issue might be gone into when the Price Control Conference was held,—and it appears to me that several of the Associations did emphasise this point. For instance, an Associated Press Telegram of 7th of October was sent from Calcutta in which it was said "that the Conference will discuss among other things the question of controlling the prices of cotton". I also observed that other bodies and persons appealed to the Government and made the same request. For instance, the Committee of the Federation of the Indian Chambers of Commerce drew the attention of the Government of India. This is what they said :

"The Committee decided to draw the attention of the Government of India to the recent fall in the prices of raw cotton in India and to impress upon Government the need for meeting the situation especially when the problem of cotton prices was likely to be accentuated as the result of coming movement of crops."

Then similar requests were made in the month of October to the Supply Department that something should be done to give relief to the poor cotton grower.

"The Committee also decided to draw the attention of the Government of India to the recent fall in the prices of cotton, especially of short staple and the coming movement of crops which would further aggravate the situation."

So, Sir, from every part of the country, from every corner, the demand was put forward, and the condition of the agriculturist was prominently placed before the Honourable the Commerce Member.

[Mr. Govind V. Deshmukh.]

Well, Sir, as I have said, we have lost our greatest customer, I mean Japan, and the situation has worsened. It has become worse than what it was at the time of the last Session and the situation is getting worse daily, because the Government of India enter into several cotton transactions,—and the British Government also enter into several transactions with several outside countries. I had drawn attention on the last occasion to the fact that the whole crop of cotton grown in Egypt had been bought out. That was how the British Government gave them relief. After that cotton from Iraq has been purchased, and the strangest thing is this. Last time I had rebuked the British Government for giving relief to cotton growers in Egypt and not to the people of this country whose interest they proclaim so loudly they have at heart. Now, I say that the Government of India are at fault. What have they done? This is what I gather from the Associated Press :

“It is announced that the Government of India have decided to give general permission for the importation of raw cotton from Iraq provided it has not been previously imported therefrom or from any other country.....”

So that cotton is being imported here. I really don't understand why it should be imported into this country, and why India's interests should be sacrificed for the sake of other nations,—why we should be tied to the charriot wheels of the British Government or of any other Government. It merely means that the Government of India are reckless, they do not concern themselves with the interest, happiness and welfare of the Indians over whom they are ruling, though, as I said before, they are always proclaiming from housetops that they have the interests of the country at heart.

On the last occasion when the assurance was given, it was an assurance given by one individual person. I do not know whether that promise was given in consultation with other members of the Cabinet then, but now as we have an expanded Council, and as it is stated that they have got joint and collective responsibility, I hope an assurance will be given which will safeguard the interests of the cotton grower, and that his interests will not be sacrificed in such a manner as to promote the interests of other countries,—but that the interests of India will be looked after even at the sacrifice of other countries, whether they are Britain's allies or not, I do not care. Now, Sir, this particular question has to be solved. Britain did not stop its import and export trade after freezing Japanese assets with Japan. It wanted to retain its customer Japan. How did it solve the question? I will read this portion which was sent by the Reuters :

“There is no question of entering into any barter agreement between Britain and Japan or of unfreezing Japanese assets, it was stated in authorised quarters in London today.

The banking machinery set up between the Bank of England and the Yokohama Specie Bank will provide for trading licences to be granted in exceptional circumstances. Each licence will be on its own merits from the British supply viewpoint. In each case supply considerations will be weighed against considerations of economic warfare.

It is pointed out in London that it would be wrong to regard the setting up of machinery for issuing trading licences as an essay in appeasement. The arrangement reached between the Bank of England and the Yokohama Specie Bank does not represent any retreat from the situation as set out by Mr. Eden in the House of Commons. It defines the grounds on which licences are likely to be granted,

but those grounds are exceedingly narrow. It was understood at the time that Mr. Eden announced freezing of Japanese assets that, in certain limited cases, licences might be granted.

Trade under the new arrangement must be very limited. In the first place, it will be impossible to export from Britain to Japan goods greater in value than imports. The British authorities think it wise to receive from Japan. Secondly, Britain is not bound to release any goods at all. No commitment has been entered into with regard to goods Japan will get from Britain."

This will show that Britain is anxious to keep its trade, import as well as export, to whatever limited extent and to the extent that it will benefit Britain, not Japan. They did not wish completely to stop the import and export trade of their own country. This is how Great Britain proposes to solve the situation with which it is faced. How does Burma solve it?

I will read it from the Associated Press Telegram.

"Following the decision to buy up the whole of the cotton crop."

This is what the Government of Burma did.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

**Mr. Govind V. Deshmukh:**

"Following its decision to buy up the whole of the cotton crop, the Burma Government announces to-day that it accepts the fact that its primary responsibility is to endeavour to secure to the cultivator an economic return for his labours.

With this end in view the Government will commence its operation in regard to the new crop by offering to purchase baled cotton at the equivalent of Rs. 65 per hundred viss for loose ginned cotton. The Government points out that by this the cultivator will obtain a price comparable with the average price which ruled during the last four years."

It has brought this decision into force, and what is more, the Burma Government announced again its decision to secure to the cultivator an economic return for his labour.

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

**Mr. Govind V. Deshmukh:** I will finish in two minutes, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot have any more time under the rules.

**Mr. Govind V. Deshmukh:** The Honourable U Saw has again gone to England and is negotiating there about the consumption of short staple cotton. I hope, I should have expected a little leniency, for about five minutes . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot have it under the rules.

**Mr. Govind V. Deshmukh:** Then, I am sorry. Sir, I move.

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

"That the House do now adjourn."

**Sardar Sant Singh** (West Punjab: Sikh): There are certain well defined principles underlying this motion which the Government of India will probably accept as their responsibility. The first point that I particularly



[Sardar Sant Singh.]

wish to draw the attention of the Government to is this: Are the Government at one with us that their primary duty is to protect the cultivator? I think the reply will be in the affirmative. The second point is, are the Government prepared to take steps to absorb the whole produce of the cotton in India itself? The third point which requires consideration is this. Are not the Government at present the biggest buyers of the production of the textile industry of this country for supply purposes? If so, it should not be difficult for Government to absorb the whole crop of cotton for the next season. The difficulty, as I pointed out in my speech earlier in the day, is that manipulation goes on to such an extent in this country that the country's industries suffer and foreign industries prosper at the expense of India. In this particular case I am told that those who are responsible in the office issue specifications of goods which preclude the use of our cotton in the textile industry of the country. Specifications are made in such a way that you cannot use the cotton produced in the country. I am reminded of a well known slogan in the old days when the swadeshi was getting into prominence, that when somebody asked a very fashionable gentleman why he did not use Indian made boots, he said, "I am prepared to use it provided I get Dawson shoe". A Dawson shoe could not be had in India and so, he could not use an Indian shoe. My information is that those whose duty it is to issue specifications of goods take pretty good care to see that the specifications are such that the goods can only be had from England or Japan or some other foreign country and not from India.

We have in charge of this department at this time one of the most acute and hard worked Commerce Members, and another, a business man of the accumen of Sir Homi Mody. Both are experts in this branch and it should not be difficult for them to detect any such manipulation in the order or in the specifications which the department receives. I know that it will involve a great deal of trouble, a good deal of labour to discover it. The Army requires to be clothed no doubt, but the Army does not require to be clothed in a particular kind of cloth or production of a textile industry. The clothing may be a bit more coarse to wear, but in the interests of India, in the interests of the cultivator towards whom the Government owes a special responsibility, both the Supply and the Commerce Departments should look into this question and see that the specification supplied to the industry is such that this coarse cotton can be utilised and not the fine cotton that is imported from Egypt or other foreign countries. It will not be very difficult provided a bit of attention is paid to this question. My Honourable friend has quoted what Burma is doing, what others are doing in the matter of self-sufficiency, and also what Great Britain is doing to maintain even its export trade. There is no reason why India should not follow their example. If the Burma Government can purchase the whole crop and thus help the cultivator there is no reason why the Government of India should not do the same. The only thing is that particular attention is needed towards this problem and if the problem is tackled in a statesmanlike spirit, in the spirit that India is to be helped and that the Indian cultivator is to be helped, there is no reason why a solution could not be found. This particular motion is directed to emphasize the position and is not intended as a censure motion upon the Government. We know that the Honourable Sir Homi Mody who is not in his place has taken charge very recently. Time is needed to make

his policy being felt in the Department. Probably he will do it but it is our duty to bring to the notice of the Government the need for absorbing the whole product of the next crop of cotton in the country itself. I hope the Government will take a sympathetic view of the situation and will do something in the matter.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar** (Commerce Member): Mr. President, it was towards the fag end of the last Session that my Honourable friend raised this question of the price prevailing in the country for short staple cotton and I then stated the steps that the Government hoped to take with reference to that matter. I shall in a few moments review what those steps were and I hope I shall satisfy even the Honourable Member that the Government of India is not as reckless as he contended it was nor so oblivious of the interests of the agriculturists. My Honourable friend, as no doubt befits a member representing an agricultural area where short staple cotton is being produced, has paid a great deal of thought to this problem and I am sure he has been inundated with a number of representations from various cotton growing interests. May I tell him that not a day has passed when this question has not been before my department and myself and that not a day has passed when I have not received some telegram or other on the question of agricultural products and their prices and particularly on the question of prices of cotton of short staples. If my Honourable friend is under the belief that we have no concern in questions of that kind and that we do not toil or spin and that we enjoy an easy rest at Simla in the cool heights, all I can say is that he is very much mistaken.

**An Honourable Member:** We did not say that.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:** On the last occasion I promised consideration for a number of measures which in the opinion of some would afford relief to the cotton growers and would give him fairly reasonable prices. As a matter of fact, when my Honourable friend raised the adjournment debate on the last occasion, I think it was towards the end of March, the price prevailing for Bengal was 132 per candy. The price today is 144 and I need not remind this House or the Honourable Member that during the interval between March and August the price was considerably more than 144. It had gone up to 159 in June as against 132 at the time my Honourable friend made his motion. Taking omras, the price in March was 175. The price today is 185 and the price in June and July of this year went up to 215. I do not grudge that price. On the other hand I was happy to see that the price had gone up but of course when the price goes up, no credit is given to the Government but when the price comes down, everything that can possibly be said against a wicked Government, which is unrepresentative and which pretends to take interest in agricultural matters but does not really do so, is said and perhaps with some justification in the opinion of some Honourable Members on the other side. Now, Sir, let us see by what set of misfortunes we have been pursued in this matter. We took a certain number of steps towards getting a better price for the short staple cotton. The suggestion was made that specifications on behalf of the Supply Department may be so diluted that a larger quantity of short staple cotton may be consumed for those war orders that have been given out. I am here in a position to state on behalf of myself and my Honourable colleague the Supply Member that that has been done. You have only to look to

[Sir A. Ramaswami Mudaliar.]

the consumption of the mills of various kinds of cotton and to the actual growth in the consumption of the total amount of cotton to see what steps have been taken in that direction. The mills are consuming now on an average per year some hundred and thousands more bales than they consumed in previous years. That has been largely due to the fact that the specifications of the Supply Department have enabled the mills to consume more of short staple cotton. But we have not been satisfied with the position. When I and my Honourable colleague went down to Bombay and attended a special conference of all the mill representatives in the middle of September, the proposition was again put to us that further dilution of specifications may be made to increase both the quantity of local cotton that can be consumed and to expedite war orders. That problem has again engaged the attention of the Supply Department and we believe it may be possible to further dilute some at least of these specifications so as to enable the mills to consume more quantities of cotton. In this connection I should like to state with reference to what fell from my Honourable friend, Sardar Sant Singh that it is entirely incorrect to say that the textile mills are not given as much of orders for the war supplies, as can be given.

**Sardar Sant Singh:** I did not say that.

**The Honourable Diwan Bahaqur Sir A. Ramaswami Mudaliar:** I gathered the impression that our industries are not getting as many orders as they ought to get and that these orders are going elsewhere.

**Sardar Sant Singh:** What I said was that the specifications made in the office are of such a nature that short staple cotton cannot be used.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:** I am glad that my friend has not conveyed the impression that I thought he did, because as a matter of fact, the textile mills are unable to cope with the large amount of war orders that are being placed on them and with the demand of the export markets that is coming to them. The problem that I and my Honourable colleague have to face now is not that they are not given the orders that they want but that there is too much of these orders with which they are unable to cope. We are hoping that with the co-operation of the leaders of labour we shall be in a position shortly to see to it that larger production is made by these mills either by increasing the hours of normal work or by having double and multiple shifts. (*An Honourable Member:* You are appealing to Mr. Joshi who is not here) I am appealing also to other leaders of equal eminence and importance in the labour world. The problem is one of increasing the supply not only in connection with the war effort but also for civil consumption. The problem of so increasing the production that the prices may find some reasonable levels so far as the civil consumer is concerned is inextricably connected with the co-operation that we hope and trust will be coming from the labour leaders and labour generally in agreeing to increase the hours of work or in agreeing to work double and treble shifts and I need hardly state that the increased hours of work beyond the normal hours mean of course over time pay and they are not going to be sacrificed by being asked to do more work for the same pay.

Now, Sir, there was another direction in which relief was sought. I was asked whether we could find alternative markets for exporting this raw cotton. We tried our best in that direction. My Honourable friend

will, I know, with his intimate knowledge of this subject, be aware of the fact that short-staple cotton is going in larger quantities to the markets of the United States of America at the present time. The United States of America has almost doubled or trebled the amount that it used to take from us so far as short-staple cotton is concerned. The United Kingdom has kept up notwithstanding the great shortage in shipping the amount of cotton that it used to take from India. But, Sir, while these measures of amelioration were being taken and in the Commerce Department we were gratified to find that the price was gradually rising and not falling, the unforeseeable event of the Japanese freezing order came into existence. Now, my Honourable friend must realise the effect that it must have normally on the cotton market. One would have expected that the cotton market would have collapsed because one million and a half bales was the consumption which Japan had of our short-staple cotton and almost by a stroke of the pen all that export has had to be stopped.

My Honourable friend asked me about the exports. From 1st April to 31st August this year we exported to the United Kingdom 32,000 tons as against 21,000 tons last year and as against 32,000 tons in 1939, which was a normal year before the war. To the United States of America we exported 17,900 tons as against 9,000 tons last year and 5,000 tons in 1939. As I said, like a bolt from the blue came this Japanese freezing order which to a very large extent upset the calculations of ours and of the cotton market. It is indeed gratifying that in spite of all that the market has held on and, as I pointed out earlier in my speech, the price today is better than what it was in March, 1941. But we are not satisfied with the conditions as they prevail at the present moment. The Government of India is considering the steps whereby the effect of the Japanese freezing order may not be seriously felt as far as possible by the producer of the short-staple varieties.\* My Honourable friend read out a long extract from some statement issued by the United Kingdom when the Japanese freezing order was first announced. Here let me say that at every stage we have been in exactly the same position as the United Kingdom with reference to the Japanese freezing order. The whole of the British Commonwealth of Nations, the United Kingdom and the Dominions, and various allied Governments are adopting a common economic policy with reference to this matter. There is not one policy that is adopted by the United Kingdom regarding Japan and another policy by India. In fact, from the very nature of the case that a common economic warfare policy or whatever it may be called should be adopted, there cannot be any distinction between the policy of the United Kingdom and the policy of India. If there is any relaxing of the freezing order by the United Kingdom, let me give the assurance that India will relax perhaps a little more than the United Kingdom and not a little less. But the fact is that at the present moment owing to reasons which I need not enter into, facts which Honourable Members will readily, if they consider the matter, recall for themselves, there is stoppage of exports and imports between India and Japan and between any country in the British Commonwealth and even the allied countries and Japan. That is a fact which has supervened and cannot be got over. All the more it is our anxiety to see that this question of surplus cotton should be examined and should be adequately dealt with. We were taking certain measures—we did take certain measures—to promote the consumption of cotton on the one hand and to promote its export in better quantities on the other. But, as I said, this particular factor supervened while those ameliorative measures were being taken.

[Sir A. Ramaswami Mudaliar.]

My Honourable friend talked of the measures which the Burma Government had taken with reference to raw cotton. Now, the position of raw cotton in Burma is entirely different from the position of raw cotton in this country. Perhaps it would be more accurate to compare the position of rice in Burma with the position of raw cotton in this country. Their cotton crop is a very small crop: it can be handled even by the Burma Government. The price factor does not largely come into it and therefore it was much easier for Burma to handle that position than it would be for us to handle the position of raw cotton in this country which is produced on such a large scale. The Commerce Department and the Supply Department are both considering this question. My Honourable friend threw some doubt on the question whether an assurance by an individual Member is equal to an assurance by the Government of India. I do not want to enter into the theoretical issue of joint and individual responsibility but I can tell you that any Member from these Benches who gives an assurance gives it on behalf of the Government of India and no question of personal assurance can at any time arise.

Now, Sir, certain proposals are engaging our attention at the present moment. In one sense I felt that my Honourable friend's motion was a little premature. If he had raised it later in the Session, I might have been able to give him more concrete idea of what the Government was intending to do. At the same time, I was glad that he raised it because I want it to go out to the agriculturist that he is not going to be left in the cold entirely but that the Government of India is thinking of measures which somehow or other will give him some relief. In this matter there are three or four parties who are interested and concerned and I trust that all the four parties will come on a co-operative basis to assist in the solution of the question. There is the Central Government, but the Central Government is not the only party on whom the entire burden and responsibility of solving the question can lie. There are Provincial Governments who are anxious—whose representations are now before the Central Government—to do something to ease the position or rather to see that it does not deteriorate further in view of the coming crops. A certain amount of responsibility must necessarily and naturally lie on these Provincial Governments also. Then, there is the textile industry to which an appeal was made by the Central Cotton Committee in one of the Resolutions that it sent up to the Central Government. They said that the textile industry should be asked to co-operate in stocking certain quantities of raw cotton so that there may not be a glut and a pressure on selling so far as the Indian market is concerned. There is, lastly, the Indian grower himself whose co-operation is also required in this matter. I trust that with the help of all these parties we may be able to find some solution. I am only anxious to suggest that this is not a matter which has escaped our attention. On the other hand, it is meeting with our very active consideration.

**Mr. Govind V. Deshmukh:** Sir, the first thing that has been said is that the motion is premature. Let me tell the House that the motion is exactly in time. It is meant to save the agriculturists. If I had not moved it just now and if I had waited, the motion would have come some time at the Budget Session. In between, the agriculturist would have sold his cotton. If the agriculturist whose crop is now ready but which has not been transferred from the field is in a position to put confidence on the assurances given, then in spite of the creditors who would be pressing him for money for their dues he will try to hold on. I, therefore,

thought that this was the best time so that the agriculturists might hold on to their crop in spite of the difficulties that would face them. Then, it has been said that the responsibility is not only of the Government of India but of the Provincial Governments also. Now, the order freezing the assets was passed by the Government of India, otherwise we had Japan which was a very good customer. It means that the Government of India have taken it upon themselves to freeze Japanese assets and thereby stop all the consumption of the short-staple cotton. Having taken the initiative, the Government of India should face this question. It is the primary responsibility of theirs and not of the Provinces. The Provinces were not consulted whether the Japanese assets should be frozen or not. I, therefore, submit that I was fully justified in saying that it was primarily the responsibility of the Government of India and they must shoulder it. Then, it was said that they have tried their level best to get the consumption of short-staple cotton increased and it was mentioned that America has doubled or trebled its consumption. Well, Sir, I am not concerned with how much consumption is by a particular country in the Commonwealth or by the Allies. I am merely concerned with this that Japan used to consume so much short staple cotton. Is there any individual customer, is there any country, or do the nations forming the British Commonwealth undertake in consultation with India to consume as much cotton as Japan was consuming? That is my main consideration. I am pleading that in India cotton which used to be consumed by Japan must be consumed either by this country alone or in company with other nations. Merely saying, America has doubled or trebled, does not help my case.

Then, it was said that prices have gone up a little or come down a little. I do not know. Let it be taken from me, that if prices go up for a few days on account of war situation, it is no ground to say that in such and such a month the prices have gone up. Today in Central Provinces a candy of cotton cannot fetch more than Rs. 40. If today an assurance goes from this House that there is a certainty of so much short-staple cotton being consumed, I have not the least doubt that prices will shoot up so as to induce the agriculturist to hold on to his cotton. The agriculturists would be the persons to benefit. It has been said that there is a common economic policy. I read the statement which was wired to us by Reuters from Great Britain. In spite of the freezing of Japanese assets, they have adopted the system of issuing licences. The arrangement is between banks to satisfy Great Britain's needs. If Great Britain can make that arrangement in spite of the freezing order, why can't the Government of India make some arrangement to meet our needs. That is the point which has to be taken into consideration.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:** We had made exactly the same arrangements. That is what I said.

**Mr. Govind V. Deshmukh:** I wish that you issue a communique like this which will assure the cotton growers that in spite of the freezing orders, you are prepared to relax the effect of those orders by resorting to such and such methods; for example, the licensing method or some other method. You have to give the assurance that the freezing of the Japanese assets is not a factor which should seriously be taken into consideration. There are ways of getting out of it and just as Great Britain tries to meet these needs by relaxing those orders, similarly the Government of India should be prepared to do it. The cotton growers will then be benefitted.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:** I should like to remove a misapprehension either due to what I said or due to what my Honourable friend is saying just now. The Honourable Member referred to a Reuter's telegram which is, I think some weeks old. At the time the freezing order was first instituted, the basis was reciprocity. So far as value of imports and exports are concerned, the British Government were prepared to relax the freezing order; to that extent the Government of India were prepared to do that and did do it, and certain exports of cotton did go to Japan. These things are known to merchants, particularly in exporting centres like Karachi and Bombay and since then other considerations have prevailed and what is happening in India is exactly what is happening in the United Kingdom also.

**Dr. P. N. Banerjea** (Calcutta Suburbs: Non-Muhammadan Urban): What are those other considerations?

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:** Greater tightening of freezing order owing to political considerations.

**Mr. Govind V. Deshmukh:** Unfortunately for us, the Government of India did not issue any communique so that the cotton growers or whoever is holding cotton would have benefitted by it. If such a step was not thought of till now, I hope the Government of India will hereafter do something to carry out my suggestion.

Then, Sir, he referred to a common economic policy. Here again I must point out that common economic policy means carrying out the war.

**The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:** Common policy of economic warfare. Common policy of economic warfare which is a different thing.

**Mr. Govind V. Deshmukh:** I thought you meant common economic policy. Let me say this that when I tabled this motion for adjournment, it was not meant as a censure of the Government or any Member thereof. As a matter of fact, I must say that the Honourable the Commerce Member, as he himself has said, has been thinking over this matter and when he says that, I believe it. I want him to go a step further and carry with him other Members of the Government and see to it that with the help of other departments the consumption of cotton is increased. This much is no consolation to me that I am trying my level best. This cannot serve as a consolation or a stimulant to a person on his death bed. To a person on his death bed, if you tell him "I am looking after you, I am doing my best", what is the use. I know you are doing your best, there may be others who should be in a position to help you, they are not helping you. I want to quicken your pace. We have seen that in India as well as in England, it is red-tapsim that retards the growth of war efforts. I wish you speed up. I want your other colleagues to help you to speed up in this matter. I appeal to you that you should try as much as possible to increase the consumption of short staple cotton to the same extent as it was consumed when Japan was importing cotton from here.

I hope that all Members of the Government will put their shoulders to the wheel and give this a momentum and speed up matters so that the agriculturists may not suffer. With these words, I beg leave of the House to withdraw my motion.

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

## THE INDIAN INCOME-TAX (AMENDMENT) BILL—*contd.*

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now continue the discussion on the motion to refer the Income-tax (Amendment) Bill to a Select Committee. Babu Baijnath Bajoria.

**Babu Baijnath Bajoria** (Marwari Association: Indian Commerce): When the House took up the discussion on the motion for adjournment, I was referring to the powers which are proposed to be given to the Collector for recovering the dues. I think he has got enough powers and no wider powers need be given. If he finds he has difficulties in collecting the dues, he can seek remedy through the court. I do not think any further powers are needed in this respect. With these words, I support the motion.

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

"That the Bill further to amend the Indian Income-tax Act, 1922, be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmad, Mr. J. F. Sheehy, Mr. C. W. Ayers, Mr. T. Chapman-Mortimer, Mr. Huseinbhai Abdullahai Laljee, Babu Baijnath Bajoria, Khan Bahadur Sir Abdul Hamid and the Mover, with instructions to report on or before the 5th November, 1941, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

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## THE RAILWAYS (LOCAL AUTHORITIES' TAXATION) BILL.

**The Honourable Sir Andrew Clow** (Member for Railways and Communications): Sir, I beg to move:

"That the Bill to regulate the extent to which railway property shall be liable to taxation imposed by an authority within a Province be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmad, Mr. T. S. Sankara Iyer, Dr. R. D. Dalal, Mr. J. Ramsay Scott, Mr. Akhil Chandra Datta, Maulvi Abdur Rasheed Chaudhury and the Mover and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

Honourable Members will find in front of them a statement of the opinions which we have received from the Provincial Governments on this Bill, and it has received very general support. I would not have troubled the House for the appointment of a Select Committee in ordinary circumstances, but I felt that as we have received these opinions and as the subject is a little intricate the House would probably prefer to deal with it at a small Select Committee rather than in the first instance on the floor of the House. I think I can say that the principle has been universally accepted and the House need not have any qualms in sending the matter to a Select Committee. Honourable Members will notice that the names I read out do not include representatives of a party which normally sits opposite. That is because no nominations were received from them; but if they should apply later to add one or two names to the committee, I have no doubt the House will be prepared to agree.

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I would suggest the addition of the name of Mr. Jamnadas Mehta who was Mayor of Bombay Corporation.



**The Honourable Sir Andrew Olow:** Sir, I think it is undesirable to add names beyond the general recommendations of the parties. His Party, I understand, nominated some other Member, and if he makes room for Mr. Mehta I would have no objection.

**Dr. P. N. Banerjee:** We selected two Members.

**The Honourable Sir Andrew Olow:** If every group selected two Members, the committee for such a small Bill would be unduly enlarged. It is a Bill which could be taken up quite easily on the floor of the House.

**Dr. P. N. Banerjee:** If it is an intricate Bill it is desirable that there should be more Members on the Select Committee.

**The Honourable Sir Andrew Olow:** It is not such an intricate Bill. My experience of Select Committees, which is a fairly long one, is that the addition of more Members does not contribute to ease in procedure. It is not an intricate Bill, but it deals with a point which requires to be examined in Select Committee rather than in the House.

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

"That the Bill to regulate the extent to which railway property shall be liable to taxation imposed by an authority within a Province be referred to a Select Committee consisting of the Honourable Sir Sultan Ahmad, Mr. T. S. Sankara Iyer, Dr. R. D. Dalal, Mr. J. Ramsay Scott, Mr. Akhil Chandra Datta, Maulvi Abdur Rasheed Chaudhury and the Mover and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

The motion was adopted.

**Mr. Akhil Chandra Datta** (Chittagong and Rajshahi Divisions: Non-Muhammadian Rural): Sir, may I know when the meeting of the Select Committee is proposed to be held?

**The Honourable Sir Andrew Olow:** As soon as possible during the Session. I hope to see this Bill passed during this Session. It will depend on the convenience of my Honourable colleague, the Law Member.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadian Rural): Sir, the provisions of this Bill seem to be fair and the Bill aims at making the railways pay for the amenities that they get as other people do in the provinces where there are local bodies which give them amenities; and for that it would be only fair to pass a Bill like this. The statement put into our hands shows that the Provincial Governments are in favour of this Bill. But the case of the local bodies should also be considered and they should not be treated differently. They also supply amenities and they should get a return for it. I must, however, object to clause 3(2) of the Bill under which the rate which the railways shall have to pay is being reduced to half. I do not see any justification for that. Sub-clause (2) of clause 3 says:

"(2) A notification issued under sub-section (1) may modify any tax in its application to any railway administration and in particular and without prejudice to the generality of the foregoing power may reduce the rate of the tax in respect of all or any part of the property of the railway administration, or may define the manner in which the tax shall be assessed on any such property or may exempt any particular property or class of property or any specified area from the whole or any portion of the tax."

I do not see any reason for this distinction and it has not been very well explained in the Statement of Objects and Reasons. This is an invidious distinction which should be considered by the Select Committee. It is a small Bill and I need not take very much time over it. I will only say that the question involved is with regard to certain amenities that they get and I do not see why the railway people should have a distinction made in their favour and pay half the tax. I submit, Sir, that these points should be fully considered in Select Committee.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 28th October, 1941.