

29th 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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SARDAR SANT SINGH, M.L.A.

MR. L. C. BUSS, M.L.A.

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."

# LEGISLATIVE ASSEMBLY.

Wednesday, 29th October, 1941.

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

## MEMBERS SWORN:

The Honourable Mr. Nalini Ranjan Sarker (Member for Education, Health and Lands); and

Mr. Venilal Tribhovandas Dehejia, M.L.A. (Government of India : Nominated Official).

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

**Mr. President** (The Honourable Sir Abdur Rahim): Questions. I am not going to call the questions in the names of Members of the Muslim League Party. Mr. Boyle—Question No. 36.

†34\* and 35\*.

### CESSATION OF THE BROADCASTS OF KEN MAC'S BAND FROM BOMBAY BROADCASTING STATION.

**36. \*Mr. J. D. Boyle:** Will the Member representing the Information and Broadcasting Department be pleased to state :

- (a) how long Ken Mac's band has been broadcasting from the All-India Radio Station at Bombay;
- (b) whether he is aware that Ken Mac's broadcasts were among the most popular items of the Bombay programme;
- (c) why these broadcasts suddenly stopped altogether; and
- (d) whether he is aware of the resentment caused by the cessation of these broadcasts which was voiced by the public and in the press?

**The Honourable Sir Andrew Olow:** (a) Since 21st July, 1931.

†These two questions were not asked by the Chair as these were from Members of the Muslim League Party (*vide* remarks of the Honourable the President above).—*Ed. of D.*

(b) There is no reason to believe that Mr. Ken Mac's broadcasts were more popular than those of the other jazz bands in Bombay.

(c) The broadcasts were stopped because of Mr. Ken Mac's behaviour towards the officers and staff of the Bombay Station on more than one occasion, which could not be tolerated in the interests of discipline.

(d) Some comments have appeared in the press which were presumably made in ignorance of the circumstances leading to the cessation of these broadcasts.

**Mr. J. D. Boyle:** With reference to the answer to part (c) of the question, is it not a fact that on two consecutive occasions when this band was broadcasting it was found subsequently that the microphone was dead and that was the reason why Mr. Ken Mac complained that on two occasions something like 40 minutes were wasted while he had been broadcasting to a dead microphone?

**The Honourable Sir Andrew Clow:** The only information I have on that point is that on one occasion Mr. Ken Mac had reason to believe that one of the microphones was not working, that he made a scene, and made accusations of inefficiency and indifference all round, summoned the engineer of the station and said what he thought of him in the presence of everybody.

**Mr. J. D. Boyle:** If there was considerable inefficiency in that he should have had to broadcast to a dead microphone, surely he had every right to bring the matter to the notice of the authorities.

**The Honourable Sir Andrew Clow:** I have done the same myself. I have broadcast to a dead microphone, but I do not think that justifies a person in any offensive behaviour.

**Mr. J. D. Boyle:** So far as offensive behaviour is concerned, my information is that the offence was largely caused by the Station Director himself, and Mr. Ken Mac suggested in writing that the matter should be dropped. But the Station Director said rather like to a school boy that the apology should be presented in writing. And is that sufficient reason for stopping a broadcast which, despite what the Honourable Member has said, is extremely popular?

**The Honourable Sir Andrew Clow:** Mr. Ken Mac's suggestion to let by-gones be by-gones was coupled with the suggestion that his fee should be raised by over 66 per cent.

**Mr. J. D. Boyle:** That, if I may say so, is not correct. I have seen the original letter and the correspondence in regard to the increase in the fee. They are completely separate and had no relation whatever to the incident concerned.

**The Honourable Sir Andrew Clow:** The Honourable Member is giving information rather than asking for it.

**Mr. J. D. Boyle:** The Honourable Member made a statement to the effect that the two were coupled together, and I am asking him whether he has seen the correspondence and whether it is correct.

**The Honourable Sir Andrew Olow:** I have seen a copy of his letter.

**Pandit Lakshmi Kanta Maitra:** May I ask the Honourable Member who is the authority who judges the merits or demerits of a particular musical programme? How do Government come to know that one particular form of music is popular, and another form is unpopular?

**The Honourable Sir Andrew Olow:** They receive a certain amount of what is called "fan mail" and there are at times enquiries made from listeners with a view to ascertain what items they like and what items they dislike.

**Pandit Lakshmi Kanta Maitra:** Are listeners invited to give their opinions on any particular programme, or talks, or are any attempts made to elicit their opinion?

**The Honourable Sir Andrew Olow:** They are not asked in a questionnaire to state whether they like this or that particular item, but the department does ask them on occasions to indicate their general preferences.

**Pandit Lakshmi Kanta Maitra:** Is there any agency set up by the Broadcasting Department to go into the question of programmes, etc.?

**The Honourable Sir Andrew Olow:** That is a matter to which constant attention is being paid.

**Mr. J. D. Boyle:** Has the attention of the Government of India been drawn to the fact that without exception every newspaper in Bombay wrote demanding the return of Mr. Ken Mac's band to the studio?

**The Honourable Sir Andrew Olow:** There has been a certain amount of press campaigning on the subject.

**Mr. J. D. Boyle:** Is it not a fact that this is not a matter of just a small campaign, but that there are bundles of cuttings several feet deep of complaints, and they are continuing to complain?

**The Honourable Sir Andrew Olow:** I am ready to believe that the campaign is of considerable magnitude.

**Sardar Sant Singh:** May I ask whether the broadcasting management has not been the subject of criticism by all communities, and now that the European Group has also joined will the Honourable Member go into the question of management and review the subject once for all?

**Mr. President** (The Honourable Sir Abdur Rahim): That does not arise.

**Mr. J. D. Boyle:** May I ask, in view of what has taken place, whether the Honourable Member will now see that sufficient punishment has been meted out and that the interests of listeners who pay for the station may be considered again and Mr. Ken Mac restored?

**The Honourable Sir Andrew Clow:** There are about 5 or 6 other jazz bands, several of which, I understand, are as popular as Mr. Ken Mac's, but I shall convey the supplementaries and the answers I have given, to the Honourable Member in charge of this Department.

**Mr. Lalchand Navalrai:** May I know whether it was the offensive behaviour of only one person, which brought about the stoppage of the broadcast immediately?

**The Honourable Sir Andrew Clow:** He was the leader of the band. I do not think the first occasion led to the stoppage. I think the behaviour to which exception was taken was shown on more than one occasion.

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

#### DESIRABILITY OF RELEASING POLITICAL PRISONERS.

**37. \*Mr. Lalchand Navalrai:** (a) Will the Honourable the Home Member be pleased to state whether, in view of the fact that His Excellency the Viceroy's cabinet has been expanded, and in order to create more confidence in the public to secure their co-operation, Government propose to release the political prisoners now in jail? If not, why not?

(b) Has the attention of the Honourable Member been drawn to the statement of an Honourable Labour Member of Parliament in his speech on the debate in the British Parliament on the Indian and Burma estimates, asking the Right Honourable Mr. Amery to consider, if not a general amnesty, at least a substantial release of political prisoners and to make it clear to the Indian National Congress and the Muslim League that, if at any subsequent date, they desire to accept seats on the Viceroy's Council, he will provide them?

(c) If the answer to part (b) be in the affirmative, will the Honourable Member be pleased to state if Government propose to follow that advice? If not, why not?

**The Honourable Sir Reginald Maxwell:** (a) No.

(b) No.

(c) Does not arise.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member why he says, "No" to (a), "No" to (b), and "Does not arise" to (c)?

**The Honourable Sir Reginald Maxwell:** Because those are the correct answers.

**Mr. Lalchand Navalrai:** I should like to have a substantive reply, whether the Government of India are going to make that gesture or not.

**The Honourable Sir Reginald Maxwell:** I have said No.

**Mr. Lalchand Navalrai:** What is the reason?

**The Honourable Sir Reginald Maxwell:** I cannot answer a question as to why a thing has not been done. If I am asked why I have done something I can give reasons. But if I am asked to give reasons for not doing a thing, which is open to me to do or not to do, I may equally well ask the Honourable Member why he does not stand on his head in the middle of the House.

**Mr. Lalchand Navalrai:** The public wants a certain thing to be done, but the Government are not doing it, and we are entitled to ask why it is not being done.

**The Honourable Sir Reginald Maxwell:** The question has nothing to do with the public.

**Mr. Lalchand Navalrai:** My question is whether this matter has attracted the attention of the expanded Council and whether it has been considered by them or not?

**The Honourable Sir Reginald Maxwell:** I do not quite understand the Honourable Member's question.

**Mr. Lalchand Navalrai:** I am asking whether the expanded Council is of that view—that a gesture should be made and these men released?

**The Honourable Sir Reginald Maxwell:** It is for the Honourable Member to show why they should be.

**Sardar Sant Singh:** Has this question received the attention of Government in recent years or not in view of the critical situation in the international sphere?

**The Honourable Sir Reginald Maxwell:** What question?

**Sardar Sant Singh:** The desirability of releasing the detenus and the other political prisoners in the country.

**The Honourable Sir Reginald Maxwell:** There is a Resolution in the Honourable Member's name on the paper today on this subject.

**Mr. Govind V. Deshmukh:** The latter half of part (a) of the question seeks the reasons for not releasing the political prisoners. I submit that we must be given the reasons on the floor of the House as to why you are not releasing the political prisoners?

**The Honourable Sir Reginald Maxwell:** I have explained already that I can only be asked for reasons why I have done a particular thing and not reasons why any conceivable thing has not been done.

**Mr. Govind V. Deshmukh:** Is it in the interest of the public that reasons are not being given?



**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has given the reasons.

**Pandit Lakshmi Kanta Maitra:** In view of the fact that many of the detenus and political prisoners were detained or imprisoned for communistic activities or leanings and in view of the fact that Russia is now an ally of the British, do Government propose to release these people, whether they have been detained or convicted?

**The Honourable Sir Reginald Maxwell:** The Honourable Member will have an opportunity of expressing his views on that when Mr. Joshi's Resolution which is first on the Agenda for the 12th November comes up before the House.

#### CO-ORDINATION BETWEEN WAR AND PEACE TIME INDUSTRIES.

**38. \*Mr. Lalchand Navalrai:** (a) Has the attention of the Honourable the Home Member been drawn to the statement of Sir Muhammad Zafrullah Khan in his broadcast speech on Wednesday, the 16th July, 1941, to the effect that co-ordination between war and peace time production must be taken on hand now and simultaneously and not be left for the future? If so, will Government be pleased to make a full statement as to which industries, particularly major ones they have established, which have chances of survival after the war and which are of great importance to the country?

(b) Will the Honourable Member also be pleased to state which of such industries Government propose to start further and when?

(c) Is it a fact that the Board of Scientific and Industrial Research has recently declared that a list of schemes has been drawn up, which might result in the future in the establishment on a commercial scale of new industries? If so, how many schemes have been drawn up, and which are they?

(d) Will Government be pleased to state the terms on which industrialists would be given the right to make commercial use of Researches made by the Board and the names of any to which Government have granted the rights of the use of the researches made by the Board?

(e) Is the programme of Research, in which the Board of Scientific and Industrial Research are now engaged, confined mainly or largely to the war time industries, or is it of a permanent character?

**The Honourable Sir Reginald Maxwell:** The question should have been addressed to the Honourable the Commerce Member.

#### DELAY IN OPENING A RADIO STATION AT KARACHI.

**39. \*Mr. Lalchand Navalrai:** (a) Will the Member representing the Information and Broadcasting Department be pleased to state the nature of the delay in opening a radio station at Karachi, when funds were provided in the current year's budget?

(b) When is the Karachi radio station expected to start working?

(c) Will it be on medium wave band? If so, on which metre, and how far would it be able to operate?

(d) What action does the Honourable Member propose to take to expedite construction of the Radio Station, so as to save the capital grant for construction from being surrendered at the close of the financial year?

**The Honourable Sir Andrew Olow:** (a) It will not be possible to open the Karachi Station as early as had been hoped owing to the difficulty experienced in obtaining suitable accommodation for the transmitter and studios and also in getting studio and other equipment from abroad.

(b) So far as can be foreseen at present, the station is likely to start working in less than a year's time.

(c) Yes. The transmitter will operate on a wavelength of 225 metres. It will ordinarily provide a satisfactory service to the city of Karachi, but, under favourable conditions, its range will be considerably greater.

(d) No difficulty is anticipated in arranging that capital funds already allotted, which are not utilised during the current year, will be provided next financial year.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member whether a house has been secured and why should there be a delay of 12 months?

**The Honourable Sir Andrew Olow:** The Officers of the All India Radio have selected a house which they consider suitable. Enquiries are at present in progress regarding rent.

**Mr. Lalchand Navalrai:** But why one year's delay?

**The Honourable Sir Andrew Olow:** The delay is largely in the matter of securing equipment which has been ordered from the United States.

**Mr. Lalchand Navalrai:** Is not the equipment available?

**The Honourable Sir Andrew Olow:** No.

**Mr. Lalchand Navalrai:** It is a small machine. . . .

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

**Mr. Lalchand Navalrai:** I am putting a question. In view of that, is the Honourable Member going to hurry up this?

**Mr. President** (The Honourable Sir Abdur Rahim): That is only a suggestion.

#### NEW FORM OF THE RETURN OF INCOME.

40. **\*Mr. Lalchand Navalrai:** (a) Is the Honourable Member for Finance aware that the new form of the Return of Income required under section 22 of the amended Income-tax Act with its explanation, is too complicated, laborious and difficult to be filled in except by trained persons?

(b) What departmental aid have Government provided to enable the ordinary assessee to fill in the form properly and correctly? If none, do Government propose to provide some such means? If not, why not?

(c) Do Government propose to simplify the form and make the explanation easier to follow? If not, why not?

**The Honourable Sir Jeremy Raisman:** (a) The new form of return is necessarily more elaborate than the old owing to the changes introduced by the Indian Income-tax (Amendment) Act, 1939. Complete instructions for filling in the form have, however, been given in the shape of notes on the form for the guidance of assessee.

(b) Assessee who find it difficult to fill up the form satisfactorily can always obtain the assistance of their Income-tax Officer.

(c) No. The Income-tax Act is in itself a complex piece of legislation and the Honourable Member will no doubt appreciate the difficulty of devising a form which is both legally accurate and complete and readily comprehensible at the same time. While Government are satisfied that the form adequately fulfils these requirements they are always prepared to consider any specific suggestions that may be made for its improvement.

**Mr. Lalchand Navalrai:** Has the Honourable Member ever had to fill up this form himself?

**The Honourable Sir Jeremy Raisman:** Yes, Sir. I do so at least once a year.

**Mr. Lalchand Navalrai:** Does not the Honourable Member feel any difficulty on account of the form being complicated and complex?

**The Honourable Sir Jeremy Raisman:** Having been a Commissioner of Income-tax for three years, I just manage to do it.

**Mr. Lalchand Navalrai:** Does the Honourable Member expect every one to have the experience of the Commissioner of Income-tax?

**Sir Cowasji Jehangir:** May I ask the Honourable Member whether the Income Tax Officer has got the extra staff to assist the assessee to fill up this form?

**The Honourable Sir Jeremy Raisman:** In the form issued by the Department under section 22 (2) it is said 'This form contains instructions required for the preparation of the return. If you desire any further information, you should apply to this office'. That is one of the duties which the staff is prepared to carry out.

**Sir Cowasji Jehangir:** Does the Honourable Member suggest that the Department has got sufficient staff to give the assessee all the assistance that they require?

**The Honourable Sir Jeremy Raisman:** Well, Sir, I know that the staff of the department is not excessive but I have not heard that there is any inadequacy in regard to fulfilling this particular requirement?

**Sir Cowasji Jehangir:** Does the Honourable Member realise that there are several complaints that the assesseees do not get that assistance in India which the assesseees get in England?

**The Honourable Sir Jeremy Raisman:** I do not admit that. I know that is one of the charges that is regularly brought against the department but I do not admit that that is so.

**Sir F. E. James:** May I ask whether the Honourable Member has considered the question of redrafting the Income-tax Act in basic English?

**The Honourable Sir Jeremy Raisman:** I doubt whether the limited vocabulary of basic English will be equal to all the requirements of the Income-tax Act.

**Sir Cowasji Jehangir:** May I know whether the Honourable Member will entrust this work to Sir F. E. James?

#### POLICY OF RECRUITMENT TO THE ROYAL INDIAN NAVY.

**41. \*Mr. Akhil Chandra Datta:** (a) Will the Defence Secretary be pleased to state how many officers have till now been recruited to the Royal Indian Navy from the Royal Indian Naval Reserves?

(b) How many officers have been directly recruited to the Royal Indian Navy from the British Reserves, and how many from the "Dufferin" cadets?

(c) Is it a fact that the personnel of the Royal Indian Navy has been more than doubled during the last two years of war?

(d) Is it a fact that the claims of duly qualified Indians, already serving in the Royal Indian Naval Reserves, are ignored and preference given to Britishers from British Reserves?

(e) Is it a fact that officers serving in the Royal Indian Naval Reserves have not till now been granted permanent commissions?

(f) Is it a fact that officers serving in the British Reserves have not only been given permanent commissions but that their position has been made secure even for the post-war period?

(g) Is it a fact that some non-Indian officers who joined the Royal Indian Naval Reserves and the Royal Indian Naval Volunteer Reserves as Lieutenants and were placed as junior to the Indian Royal Indian Naval Reserves Sub-Lieutenants, have been allowed to supersede the latter, even though they (the latter) had some years' training at sea and higher technical qualifications?

(h) Are Government prepared to consider the desirability of altering their policy of recruitment to the Royal Indian Navy and taking increasingly more Indians therein from the trained and qualified men of the Royal Indian Naval Reserves?

(i) Are Government prepared to consider the desirability of increasing the number of direct appointments from "Dufferin" to the Royal Indian Navy?

**Sir Gurunath Bewoor:** (a) Two.

(b) The reply to the first part of the question is none. As regards the second part, the two officers mentioned in the reply to part (a) above were "Dufferin" cadets.

(c) Yes.

(d) No.

(e) Four permanent commissions had been granted in the Royal Indian Naval Reserve and 31 in the Royal Indian Naval Volunteer Reserve on the date of outbreak of war. Since that date all recruitment to the reserves has been on a temporary basis.

(f) So far as Government are aware, no officers serving in the British Reserves have been granted permanent commissions since the outbreak of war.

(g) No.

(h) Not during the period of the war.

(i) I presume the Honourable Member refers to the selection of cadets for the Royal Indian Navy. Government do not propose at present to increase the number of vacancies now offered to candidates from the "Dufferin".

**Pandit Lakshmi Kanta Maitra:** May I know whether all the cadets of the 'Dufferin' have been absorbed in the Royal Indian Navy?

**Sir Gurunath Bewoor:** I do not see how the cadets of the 'Dufferin' can be absorbed in the Royal Indian Navy. There is now no direct recruitment to the Royal Indian Navy. The recruitment is to the Royal Indian Naval Reserve.

**Lieut.-Colonel Sir Henry Gidney:** With reference to part (f) of this question, the Honourable Member made a specific statement in basic English by saying "as far as the Government are aware". May I ask the Government Member to state whether or not that is an improbable truth?

**Sir Gurunath Bewoor:** This is the information that is now available with the Government of India and that is what I have given. The question is whether any officers serving in the British reserves have been granted permanent commissions. We know that as a matter of general policy His Majesty's Government are not giving any permanent commissions since the outbreak of the war, but there may be exceptions under very special circumstances. That is why I have qualified my reply by saying that so far as we are aware no officers serving in the British reserves have been granted permanent commissions.

**Lieut.-Colonel Sir Henry Gidney:** Will the Honourable Member please make it his business to find out how many officers are so serving? I do not say that there are many who are serving but the answer 'as far as the Government is aware' seems to be so ambiguous and so frequently expressed as to convey no information. I would like the Honourable Member to find out definitely how many are serving. Would he give that undertaking?

**Sir Gurunath Bewoor:** I cannot give that undertaking. It is His Majesty's Government from whom we have to obtain information. The British Navy is a very big organisation and we may not be able to find very accurate information. I have stated what the general policy is.

**Lieut.-Colonel Sir Henry Gidney:** May I implement that by telling the Honourable Member that it is his duty as Member in charge of the Defence Department to find that out. May I ask him to do so?

**Sir Gurunath Bewoor:** I am not in charge of the British Navy.

**Sardar Sant Singh:** With reference to part (d) of the question, may I ask the number of qualified Indians who are in Royal Indian Naval Reserves?

**Sir Gurunath Bewoor:** I will have to ask for notice of that question.

**Pandit Lakshmi Kanta Maitra:** With reference to parts (a) and (b) of the question, the Honourable Member will see that two distinct sets of services are contemplated, the Royal Indian Navy and the Royal Indian Naval Reserves. I want to know from the Honourable Member whether all the ex-Dufferin cadets have been absorbed in one way or the other?

**Sir Gurunath Bewoor:** I believe they have been absorbed either in the Indian Mercantile Marine or in the Royal Indian Navy. I cannot say whether anybody has remained unemployed. The question will have to be addressed to the Commerce Department.

#### ABOLITION OF THE CIVIL SIDE OF THE INDIAN MEDICAL SERVICE.

**42. \*Mr. Govind V. Deshmukh:** Will the Defence Secretary please state if the civil side of the Indian Medical Service has now been abolished? If not, why not?

**Sir Gurunath Bewoor:** This question should have been addressed to the Secretary for Education, Health and Lands.

#### DISTINCTIONS BETWEEN THE INDIAN AND EUROPEAN MEMBERS OF THE INDIAN MEDICAL SERVICE.

**43. \*Mr. Govind V. Deshmukh:** Will the Defence Secretary please state what, if any, distinctions are even now made between the Indian and European members of the Indian Medical Service holding permanent Commissions, and the reasons for doing so?

**Sir Gurunath Bewoor:** No, Sir, there are no distinctions except such as arise from the fact that certain allowances are paid in Rupees to Indian Officers and in sterling to Europeans and that there are slight differences in leave and passage concessions.

**Lieut.-Colonel M. A. Rahman:** May I know if there is any difference in the type of commissions of these two kinds of officers, Indians and Europeans?

**Sir Gurunath Bewoor:** The type of commission that the European officers get is in His Majesty's land forces and the Indian officers get only in the Indian land forces.

**Mr. Lalchand Navalrai:** May I ask if the payment in sterling is made to the Europeans in India or whether it is sent to them in England? If it is not sent to them in England, then why are they not paid in rupees?

**Sir Gurunath Bewoor:** It is paid in England.

**Lieut.-Colonel Sir Henry Gidney:** Is it or is it not a fact that the British members of the I. M. S. and the Indian members of the I.M.S., even for temporary commissions, have a great difference as far as their honorarium is concerned for services which they render? They get a certain amount after 5 years of service and I am asking whether there is a difference or not in the amount that is paid to the Indian and British services?

**Sir Gurunath Bewoor:** I believe the Honourable Member is referring to the gratuities. The European officers are paid in sterling and the Indian officers are paid in rupees.

**Lieut.-Colonel Sir Henry Gidney:** I am asking what is the difference?

**Sir Gurunath Bewoor:** I shall have to ask for notice of that question.

**Mr. Govind V. Deshmukh:** What are the distinctions and why is there a difference with regard to leave?

**Sir Gurunath Bewoor:** There are naturally differences in leave and in such concessions for Indian officers and European officers because of their domicile.

**Pandit Lakshmi Kanta Maitra:** Is the Honourable Member aware that the Indian members of the Indian Medical Service were not permitted to treat British officers?

**Sir Gurunath Bewoor:** Not so far as I am aware. I do not think there is any such distinction.

#### PERCENTAGE OF OFFICERS OF THE INDIAN MEDICAL SERVICE ON THE CIVIL SIDE RECALLED TO THE ARMY.

**44. \*Mr. Govind V. Deshmukh:** (a) Will the Defence Secretary please state if all officers belonging to the Indian Medical Service working on the civil side have been recalled to the army? If not, what percentage has been recalled?

(b) What are the reasons for not recalling the rest?

(c) How are the vacancies going to be filled up?

**Sir Gurunath Bewoor:** (a) Approximately 58 per cent. of the officers serving in the civil branch of the Indian Medical Service have been recalled to military duty.

(b) Of the remaining 42 per cent about two-thirds are holding residuary posts and do not form part of the war reserve, and about one-third are officers whom it is considered desirable to retain in their present posts

either because they are employed on work directly connected with the war or because their services are of more value in their present posts than in the armed forces. The latter figure includes officers who are at present unfit for military duty.

(c) The vacancies are filled by the appointment of persons other than officers of the Indian Medical Service on the active list.

**Mr. Lalchand Navalrai:** May I ask if the officers of the I. M. D. are still working on the civil side and in the civil services and why they are not being recalled seeing that you are recalling all the I. M. S. officers from civil duties?

**Sir Gurunath Bewoor:** I have replied to that question in my answer to part (b) of the question.

**Mr. Govind V. Deshmukh:** Why such a big percentage as 42 not been recalled?

**Sir Gurunath Bewoor:** I have explained that in reply to part (b) of the question.

**Mr. Govind V. Deshmukh:** Was the matter gone into recently? If so, why is there such a high percentage of reserves?

**Sir Gurunath Bewoor:** I have explained in my answer to part (b) that two-thirds of this 42 per cent. are holding residuary posts and they do not form part of the war reserve and the remainder consists of posts in which the officers are employed on work directly connected with the war or because their services are considered more valuable in their present posts than in the armed forces.

**Mr. Govind V. Deshmukh:** Is it necessary to reserve such a high percentage even in these war times when you are asking for the recruitment for the Medical Department and when you are obtaining the services of private practitioners and others?

**Sir Gurunath Bewoor:** They do not form part of the war reserve.

**Lieut.-Colonel Sir Henry Gidney:** May I ask whether it is not a fact that the I. M. S. in civil is a war reserve?

**Sir Gurunath Bewoor:** Not the whole of it.

**Lieut.-Colonel Sir Henry Gidney:** What does the Honourable Member really mean by 'residuary posts'? Are these residuary posts in addition to the Civil Department? If so, will he kindly inform this House how many men in the I. M. S. and the I. M. D. who had retired have been recalled to active service as dug-outs?

**Sir Gurunath Bewoor:** I cannot possibly reply to this question and it really does not seem to arise out of the question. However, I shall require notice of it. But so far as the residuary posts are concerned, I would draw the attention of the Honourable Member to the Resolution



of the Defence Department issued in March 1937 on which there was a very prolonged debate in this House in that year. He will find all the information in that Resolution.

**Sir Cowasji Jehangir:** May I ask whether the Honourable Member will give an assurance that certain officers of the I. M. S. who are now serving in some important posts on the civil side will not be removed? I am forced to ask this question on account of the questions that have been asked on this subject.

**Sir Gurunath Bewoor:** Each case is always considered on its merits before an officer is recalled.

**Lieut.-Colonel M. A. Rahman:** Out of this 42 per cent. who are left behind and who are not requisitioned for military duty, will the Honourable Member give the percentage of Indians and Europeans in the I. M. S.?

**Sir Gurunath Bewoor:** I shall require notice of that question.

**Mr. Husenbhai Abdullabhai Laljee:** How do you value the services in the civil as more important than those on the military? Is there any criterion, is there any basis for valuing the services in civil side? My Honourable friend, Sir Cowasji Jehangir, just now said that they are doing more important work on the civil side? I do not know how service on the civil side is better than service in war. How do you assess the value?

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

#### AUSTRALIAN OFFICERS IN THE INDIAN ARMY.

**45. \*Mr. Govind V. Deshmukh:** (a) Will the Defence Secretary please state if any Australians have been appointed as officers in the Indian Army? If so, what were the circumstances necessitating such a step?

(b) Are any Indians appointed as officers in the Australian army?

**Sir Gurunath Bewoor:** (a) Yes, Sir. The reason was the acute shortage of officers required for the expanded Indian Army and the need for making up this shortage urgently.

(b) None, Sir, as far as Government is aware.

**Mr. Govind V. Deshmukh:** How many and when were these Australian officers appointed?

**Sir Gurunath Bewoor:** Only eight Australian cadets have been granted emergency commissions in the Indian army?

**Mr. Govind V. Deshmukh:** When?

**Sir Gurunath Bewoor:** I cannot give the exact date, but quite recently.

**Lieut.-Colonel Sir Henry Gidney:** Apart from the eight Australian

officers recruited from Australia, may I ask the Honourable Member to inform the House whether any British officers have been recruited from Hong-Kong, Burma, Ceylon, Egypt, Malaya and other colonies into India and posted as officers of the Indian army? If so how many?

**Sir Gurunath Bewoor:** I was asked only about Australians. I cannot give information about others.

**Mr. Govind V. Deshmukh:** What is the answer to part (b)?

**Sir Gurunath Bewoor:** "None, Sir, as far as Government is aware".

**Mr. Lalchand Navalrai:** Was it because that Indians were not available and therefore Australians were appointed?

**Sir Gurunath Bewoor:** Indians were not available in sufficient numbers. We are still wanting as many suitable candidates as can come up. The demand is far greater than the supply.

**Sardar Sant Singh:** May I know if the question of appointing subjects of other parts of the British Empire was considered in all its implications before these appointments were made? May I know whether any such appointment was made in the British army as officers where Australians have been appointed in the British army?

**Sir Gurunath Bewoor:** That does not arise out of this question. I was asked only about Australians in the Indian army and I have given the answer.

**Sardar Sant Singh:** May I know whether the appointment of outsiders as officers in the Indian army has been considered in all its aspects before it is made?

**Sir Gurunath Bewoor:** They belong to the British Commonwealth of Nations.

**Lieut.-Colonel M. A. Rahman:** Are Indians eligible for appointments in the Australian army?

**Sir Gurunath Bewoor:** I have no information.

**Mr. Husenbhai Abdullabhai Laljee:** Will the Government make enquiries?

**Sir Gurunath Bewoor:** If a question is put, I will see whether we can enquire.

**Pandit Lakshmi Kanta Maitra:** May I know whether it is within the competence of the Honourable Member's department to appoint an Indian officer to command an Australian army, or whether it is within the competence only of the Australian Government?

**Sir Gurunath Bewoor:** It is in the hands of the Australian Government.

**Pandit Laksami Kanta Maitra:** May I then take it that the position is that it is not within the competence of the Defence Department in India to make any appointment to command Australian army? Is that the position?

**Sir Gurunath Bewoor:** That is the position.

**Mr. Govind V. Deshmukh:** Did the Government of India request the Australian Government to send any Australian cadets to serve in the Indian army?

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

†46\*.

DESIRABILITY OF COMPOSING AND BROADCASTING OF WAR NEWS, ETC., BY  
INDIANS IN INDIAN LANGUAGES.

**47. \*Mr. Govind V. Deshmukh:** Will the Member representing the Information and Broadcasting Department please state:

- (a) if the star war feature of the news is the broadcast composed and produced by non-Indian intellectuals;
- (b) the languages in which radio dramatics are originally composed and the languages in which these are given; and
- (c) if all the time and money that is available for broadcasting war matter will be devoted by the All-India Radio, to do it through Indians in Indian languages in their own ways instead of translations from English?

**The Honourable Sir Andrew Clow:** (a) I presume the Honourable Member is referring to items giving important news of the day in a dramatised form which are broadcast from the stations of All-India Radio. The majority of such items are composed by Indian authors.

(b) Dramatic representations of war publicity themes are written and broadcast in English, Hindustani, Bengali, Mahratti, Gujarati, Tamil, Telugu and various other Indian languages, depending upon programme requirements. Some of them are adaptations of English originals, but the majority are originally written in the Indian language in which they are broadcast.

(c) Yes, as far as possible.

**Mr. Lalchand Navalrai:** Are they broadcast in Sindhi?

**The Honourable Sir Andrew Clow:** I do not know of any.

**Mr. Govind V. Deshmukh:** With reference to part (a) are none of the star war feature news produced or composed or broadcast by non-Indians?

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†This question was not asked by the Chair as it was from a member of the Muslim League Party (*vide* remarks of the Honourable the President above).—*Ed. of D.*

**The Honourable Sir Andrew Olow:** A few of these in English have been composed by non-Indians. Many of the English ones are done in collaboration by Indians and non-Indians.

**Mr. Lalchand Navalrai:** If there is no broadcast in Sindhi, will the Honourable Member give instructions that it should be done in Sindhi also, because there is no Radio station in Sind?

**The Honourable Sir Andrew Olow:** I am not prepared to give a promise to that effect.

**Mr. Lalchand Navalrai:** Are you in no way concerned with Sind?

**The Honourable Sir Andrew Olow:** It must depend upon the number of licences in particular language areas.

**Mr. Lalchand Navalrai:** Will the Honourable Member find out the number of licences in Sind?

(No reply.)

**Sir F. E. James:** May I ask if the Honourable Member is aware that with regard to broadcasts in Tamil, there has been a complaint from industrial and plantation areas that the Tamil used is not understood by the people who are supposed to listen? The Tamil used in the broadcasts from Madras and Trichy stations is much too high flown for the workers, particularly in industrial and plantation areas for whom these broadcasts are really intended. That is the complaint which has been made several times to the local stations by those who are in a position to know.

**The Honourable Sir Andrew Olow:** I was not aware of that. I think it is the habit of broadcast stations all through the world to broadcast more or less in the language of the educated persons. There is naturally difficulty if one is to adopt what would be regarded as local dialects instead of a pure form.

**Sir F. E. James:** Surely my Honourable friend is aware that there are even in the B. B. C. occasional broadcasts by Lancashire lads for Lancashire people and would he not therefore consider the advisability of putting people on the air who could speak the Tamil of the country and not only the Tamil of literature?

**The Honourable Sir Andrew Olow:** The Tamil spoken is the Tamil of the country but not necessarily the Tamil of every citizen.

**Sir F. E. James:** My Honourable friend might perhaps consult his colleague, who knows what I am talking about.

**The Honourable Sir Andrew Olow:** I think he agrees with me.

**Lieut.-Colonel M. A. Rahman:** May I know why amongst the list of languages is Urdu omitted? Will the Honourable Member consider the advisability of broadcasting the news in Urdu also?

**The Honourable Sir Andrew Clow:** "Hindustani" is included.

**Lieut.-Colonel M. A. Rahman:** Hindustani is different from Urdu.

**DESIRABILITY OF APPOINTING INDIAN NAVAL ARCHITECTS UNDER THE ROYAL INDIAN NAVY OR IN THE MARINE DEPARTMENT.**

**48. \*Mr. Akhil Chandra Datta:** (a) Will the Defence Secretary be pleased to state whether there are any appointments of naval architects under the Department of the Royal Indian Navy or under the Indian Marine Department?

(b) Will he be pleased to state how many appointments for naval architects are there in India, whose pay is borne on the estimates of the Central Government of India?

(c) Will he be pleased to state whether there are any Indian naval architects employed under the said Departments? If not, will he be pleased to state whether he is aware that Indians trained and qualified as naval architects in the United Kingdom are available in India? If so, did Government consider the desirability of appointing such Indian naval architects under the Royal Indian Navy or in the Marine Department? If not, why not?

(d) Is he aware that there are some qualified Indian naval architects employed in India under British shipping firms engaged in carrying Government mails from India to the United Kingdom, who have got ship-building workshops in Calcutta and other ports and who are now engaged in manufacturing war materials for the Navy? If not, does he propose to enquire into the matter and take steps for recruiting such Indian naval architects under the Royal Indian Navy? If not, why not?

**Sir Gurunath Bewoor:** (a) No.

(b) None.

(c) The reply to the first part is in the negative.

As regards the second part, Government have no information.

Parts three and four do not arise.

(d) As regards the first part, so far as Government are aware, there are no such architects. As regards the last part, the reply is in the negative in view of the reply to part (a).

**Lieut.-Colonel Sir Henry Gidney:** Will the Honourable Member please state whether he is prepared to advertise this appointment in view of the fact that there are Indian architects? Will he be prepared to advertise?

**Sir Gurunath Bewoor:** In reply to part (a) I said that there is no post of 'Naval Architect' and, therefore, I cannot advertise for a post which does not exist.

**ARREST OF SARDAR MANGAL SINGH.**

**49. \*Sardar Sant Singh:** Will the Honourable the Home Member please state:

- (a) whether it is a fact that Sardar Mangal Singh, M.L.A., was arrested on the 14th August, 1941, under Rule 129 of the Defence of India Rules, two days before he was to offer *satyagraha* of which he had already given due notice on the 11th August, that he would offer *satyagraha* on the 16th August, 1941;
- (b) whether it is a fact that in May last the Punjab High Court had held that a mere giving of a notice of one's intention to offer *satyagraha* is no offence under the Defence of India Act;
- (c) whether it is also a fact that, in pursuance of that High Court's decision, a large number of *satyagrahi* prisoners were released, including Dr. Gopichand Bhargava and Mrs. Duni Chand, M.L.A., who were detained under Rule 129/26 of the Defence of India Rules; and
- (d) what orders Government contemplate to pass, or have already passed in the case of Sardar Mangal Singh, M.L.A., who was also arrested under exactly similar circumstances?

**The Honourable Sir Reginald Maxwell:** (a) Sardar Mangal Singh was arrested under rule 129 of the Defence of India Rules under the orders of the Provincial Government, on account, it is understood, of certain activities aimed at reviving the *Satyagraha* campaign and not for giving notice of his intention to offer *Satyagraha*. I understand that he has since been released.

(b) Yes.

(c) In view of the ruling of the Punjab High Court the Government of the Punjab released certain prisoners who had been convicted under rule 121 of the Defence of India Rules for giving notice of their intention to offer *satyagraha*. The ruling did not affect the cases of persons detained under rule 129 or rule 26; and I understand that Dr. Gopi Chand Bhargava had been detained under the latter rule. I have no information regarding Mrs. Duni Chand.

(d) Does not arise.

**Pandit Lakshmi Kanta Maitra:** In view of this ruling of the Punjab High Court do Government propose to release cases of this nature in other provinces so as to bring about uniformity in this respect?

**The Honourable Sir Reginald Maxwell:** It is for the Provincial Governments to consider; they have the powers.

**Qazi Muhammad Ahmad Kazmi:** With regard to prisoners under the Central Government, do Government propose to apply this ruling?

**The Honourable Sir Reginald Maxwell:** It does not apply to any prisoners detained under orders of the Central Government.

**ALLEGED PREFERENCE FOR EUROPEANS IN SELECTING THE SECRETARIES  
OF THE GOVERNMENT OF INDIA DEPARTMENTS.**

**50. \*Sardar Sant Singh:** (a) Will the Honourable the Home Member please state if it is a fact that Secretaries to the various Departments of the Government of India are appointed by the Home Department? If not, what is the procedure for selecting such Secretaries?

(b) Are these Secretaries selected from amongst the I. C. S. members? If so, is it a fact that all of them are Europeans? If so, what is the reason for this preference for Europeans?

(c) Will the Honourable Member please lay on the table of the House a statement showing the number of I. C. S. officers working as (1) Secretaries and (2) in offices other than Secretaries in the Government of India, the number of Europeans, Hindus, Muslims, Sikhs, Christians, Parsis and others, and also the number from each Province?

**The Honourable Sir Reginald Maxwell:** (a) The recommendations for appointments are made to the Governor General in Council by a Selection Board which consists of three Secretaries to the Government of India and the Secretary of the Department in which the appointment is to be made if he is not already a member of the Board.

(b) Secretaries are normally selected from the I. C. S. except in certain Departments.\* The answer to the second part of the question is in the negative.

\*E. G., Legislative Assembly,  
Railway and External Affairs  
Departments.

(c) I place a statement on the table.

*Statements showing the Number of I.C.S. Officers serving as Secretaries and in offices other than Secretaries in the Government of India.*

**A.—DISTRIBUTION BY COMMUNITIES.**

**(a) Secretaries.**

Europeans . . . . .	13
Hindus . . . . .	1
Muslims . . . . .	0
Sikhs . . . . .	0
Indian Christians . . . . .	0
Parsis and others . . . . .	0
	<hr/>
	14

**(b) Others.**

Europeans . . . . .	32
Hindus . . . . .	22
Muslims . . . . .	6
Sikhs . . . . .	..
Indian Christians . . . . .	..
Parsis and others . . . . .	..
	<hr/>
	60

B.—DISTRIBUTION BY PROVINCES.

Madras . . . . .	3
Punjab . . . . .	5
U. P. . . . .	1
Bengal . . . . .	3
Bihar . . . . .	1
Bombay . . . . .	..
C. P. . . . .	..
• Assam . . . . .	..
Burma . . . . .	1
	<hr/>
	14
	<hr/>

(b) Others.

Madras . . . . .	9
Punjab . . . . .	7
U. P. . . . .	11
Bengal . . . . .	10
Bihar . . . . .	3
Bombay . . . . .	3
C. P. . . . .	6
Assam . . . . .	4
Burma . . . . .	2
	<hr/>
	60
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**Sardar Sant Singh:** May I know how many of them are Indians?

**The Honourable Sir Reginald Maxwell:** That is contained in the statement which I have laid on the table.

**Sardar Sant Singh:** Does this selection board consist entirely of British members of the Indian Civil Service?

**The Honourable Sir Reginald Maxwell:** No, Sir.

**Sardar Sant Singh:** May I know how many of them are Indians?

**The Honourable Sir Reginald Maxwell:** I understand there are two Europeans and one Indian.

STOPPAGE OF THE OVERSEAS ALLOWANCE OF THE INDIAN PILOT OFFICERS  
AMALGAMATED WITH THE ROYAL AIR FORCE IN ENGLAND.

51. **\*Sardar Sant Singh:** (a) Will the Defence Secretary please state if it is a fact that a batch of 24 Indian Pilot Officers was sent to England last year? What emoluments, salary and allowances were they drawing at the time of their departure? What overseas allowance was paid to them?

(b) Is it a fact that these Pilot Officers were subsequently amalgamated with the Royal Air Force in England and their overseas allowance was stopped, resulting in their emoluments being reduced to a level below that which their colleagues in Indian Air Force are getting?

(c) What steps are Government taking to remove this hardship?



**Sir Gurnath Bewoor:** (a) Yes. Their pay at the time of departure was Rs. 385 per mensem *plus* a messing allowance of Rs. 40 per mensem (Total Rs. 425 per mensem). They were paid an overseas allowance of £25 per annum in the first instance. This was later increased to £50 per annum and again to £100 per annum, in both cases with retrospective effect.

(b) They were seconded to the Royal Air Force and not amalgamated with it. Their overseas allowance was at no time stopped; but the grant of the emergency allowance to officers of the Indian Air Force in India resulted in their drawing less than the latter for a short time. With the retrospective increase in overseas allowance however their emoluments (including the value of certain free services) have become more than those of officers of the same rank in India.

(c) Does not arise.

### UNSTARRED QUESTIONS AND ANSWERS.

†21 and 22.

#### PERSONS DETAINED, INTERNED, EXTERNEED OR RELEASED UNDER THE DEFENCE OF INDIA RULES.

**23. Mr. N. M. Joshi:** Will the Honourable the Home Member be pleased to lay on the table a statement showing—giving separate figures for each category—the number of persons—

- (a) detained, or
- (b) interned, or
- (c) externed,

under the Defence of India Rules with or without trial, from the beginning of the war up to as late a date as practicable, and also giving the number of persons of each category since released or freed from restrictions?

**The Honourable Sir Reginald Maxwell:** (a) The total number of persons detained without trial under Defence of India Rule 26 from the beginning of the war up to September 15th, 1941, was 1724, of whom, at the beginning of that month, 1653 were still in custody.

(b) and (c). The Government of India have no precise information, as various types of restrictive order may be passed under rule 26 in addition to what the Honourable Member refers to as externments and internments, and the action has been taken by Provincial Governments. By the 15th September, 1941, 2006 restrictive orders had been passed since the beginning of the war, of which 1610 had been passed in Bengal. The Government of India are not aware how many of these orders are still in force. The collection of the information required would necessitate a reference to all Provincial Governments and would involve much labour and delay.

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†Not included in these debates as these were from Members of the Muslim League Party (*vide* remarks of the Honourable the President on p. 189, *ante*)—*Ed. of D.*

**APPLICATIONS FOR FAMILY OR PERSONAL ALLOWANCES FROM PERSONS DETAINED, INTERNED OR EXTERNEED UNDER THE DEFENCE OF INDIA RULES.**

**24. Mr. N. M. Joshi:** (a) Will the Honourable the Home Member be pleased to state how many of the persons detained, interned or externed under the Defence of India Rules without trial for an indefinite period, had applied for a family or personal allowance, and in how many of these cases the applications had been granted?

(b) How many have been given a monthly allowance of Rs. 50 or more, how many between Rs. 50 and Rs. 20, how many between Rs. 20 and Rs. 10, and how many less than Rs. 10?

**The Honourable Sir Reginald Maxwell:** (a) and (b). So far as the 29 prisoners detained under the orders of the Central Government are concerned, ten individual applications for the grant of allowances have been received. An allowance of Rs. 150 per month has been granted for the maintenance of the prisoner's family in one case; three cases are still under consideration; and the remaining applications have been rejected after enquiring into the circumstances of the family. As regards persons detained or restricted under the orders of the Provincial Governments the granting of family allowances rests with the discretion of the Provincial Government and the Government of India have no information as to the number or amount of the allowances granted. Enquiries are, however, being made, and the results will be laid on the table in due course.

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**MOTION FOR ADJOURNMENT.**

**DISCONTENT AMONG DETENUS AT THE DEOLI DETENTION CAMP.**

**Mr. President** (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment from Mr. Joshi who wants to discuss a matter of definite and urgent public importance, namely, grave discontent among the detenus in the detention camp at Deoli on account of some of their grievances having remained unredressed and the apprehension of some serious action being taken by the detenus. The Honourable Member has also enclosed a copy of a telegram which I need not read out; I take it it is only a justification for his motion. Is there any objection to this motion being considered?

**The Honourable Sir Reginald Maxwell** (Home Member): No, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): The motion will be taken up at 4 o'clock unless the business of the House is finished earlier.

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**Sir F. E. James** (Madras: European): Sir, before you proceed to take up the Resolutions, may I raise one point? In view of the absence of two large Parties from this House for the Session, would it be possible for you to allow those seats to be occupied so that the remaining 'rump' of this House might dispose itself more comfortably?

**Mr. President** (The Honourable Sir Abdur Rahim): I shall consider this matter. So far as the Congress Members are concerned, they have not given any formal notice, so far as I am aware, that they will not attend the sittings of the Assembly this Session. But certainly the Leader of the Muslim League Party gave us yesterday a formal notice that the Muslim League Party will not attend. So far as their seats are concerned, I shall consider what I can do.

## RESOLUTION RE INDO-BURMA IMMIGRATION AGREEMENT.

**Sir Abdul Halim Ghuznavi** (Dacca *cum* Mymensingh: Muhammadan Rural): Sir, I beg to move:

"That this Assembly being of the opinion that the Indo-Burma Immigration Agreement should not have been concluded without consulting the Legislature and public opinion in India and being further of the opinion that the said Agreement ignores the fundamental rights of Indians settled in or having connections with Burma, violates the assurances and pledges given at the time of the passage of the Government of Burma Act in regard to the right of free entry of Indians into Burma and is discriminatory and humiliating in its provisions and detrimental to the interests of India, recommends to the Governor General in Council not to implement the agreement as it stands and to revise it satisfactorily in consultation with the interests concerned."

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

"That this Assembly being of the opinion that the Indo-Burma Immigration Agreement should not have been concluded without consulting the Legislature and public opinion in India and being further of the opinion that the said Agreement ignores the fundamental rights of Indians settled in or having connections with Burma, violates the assurances and pledges given at the time of the passage of the Government of Burma Act in regard to the right of free entry of Indians into Burma and is discriminatory and humiliating in its provisions and detrimental to the interests of India, recommends to the Governor General in Council not to implement the agreement as it stands and to revise it satisfactorily in consultation with the interests concerned."

**The Honourable Mr. M. S. Aney** (Leader of the House): Sir, I move:

"That the debate on this Resolution be adjourned to some subsequent date."

Government are still considering this matter and it will take some time; and, therefore, if the debate is carried on today, they will not be in a position to give a definite reply. I, therefore, move that it be postponed to some later date this Session.

**Sir Abdul Halim Ghuznavi**: Sir, I have no objection provided the Leader of the House gives us an assurance that he will fix an official day and not a non-official day, and not later than the 5th November.

**The Honourable Mr. M. S. Aney**: I can give the assurance that we shall give an official day, and as far as possible we shall try to accommodate the Honourable Member.

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

"That the debate on this Resolution be adjourned."

The motion was adopted.

## RESOLUTION *RE* THE ATLANTIC CHARTER FOR A NEW WORLD ORDER.

**Maulvi Abdur Rasheed Choudhury** (Assam: Muhammadan): Sir, I move:

"That this Assembly recommends to the Governor General in Council that immediate steps be taken to give effect, in the case of India also, to the joint decision of the British Premier and of the President of the United States of America commonly known as the Atlantic Charter for creating a new world order."

Immediately after the declaration of the war there was a demand both from the press and platform of this country that the British Government should clearly declare their war and peace aims so far as India was concerned. Along with these demands it was made clear that India was ready to help the Government with men, money and everything to win this war, but the country wanted to know from the authoritative quarters what was the war aim and peace aim of the British Government so far as India was concerned. No declaration of policy came from any authoritative quarter. The demand was reiterated and, ultimately, the Congress, the largest Party in this Assembly, made this demand. Nothing came out of that. As a protest the Congress boycotted this House. They left the Assembly and began their *Satyagraha* movement, though this time it was individual *Satyagraha* and not mass *Satyagraha* as before. Things have been going on like this and it went on for about 15 months after the war. Then on the 15th March last, the President of the United States made a declaration that no nation, however small they may be, can be ruled over by others. For the information of the House, I will read only two lines from his declaration so that the House may refresh its memory:

"There has never been and never will be any race of people fit to serve as masters over their fellowmen."

That was one point. The next point is:

"The world has no use for any nation which, because of its size and military might, asserts its right to goosestep to world over other nations and other races."

**The Honourable Mr. M. S. Aney** (Leader of the House): What is the paper that the Honourable Member is reading from?

**Maulvi Abdur Rasheed Choudhury**: I am reading from a paper. It only quotes the actual words. After the Peace Conference of the last war, it became clear that the words of even the President of the United States had no meaning. It is fresh in everybody's memory how the 14 points laid down by President Wilson were trampled under foot by the words of the British Premier at the time. But this time the President of the United States will be listened to by the British authorities. The United States have been giving more assistance to Great Britain in this war than they did last time. So we in this country consider that America has a sort of partnership with the British Premier in this world and the part played by the President of the United States will not be taken lightly by the British authorities. This is what raised a false hope that even this country would be benefited by that declaration of the President of the United States. Sir, five months after we read in papers that the President of the United States and the British Premier met somewhere in the Atlantic and their joint decision came out in the form of 8 points, popularly known as the Atlantic Charter, it

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raised great hopes, especially in India, that this time India can hope to get political advancement from the British authorities as the President of the United States was supporting the principle. There was a reason for that because one of the 8 points was the recognition of free trade policy between England and America. This also lent support to the hope that the President of the United States will have a voice in the settlement of India's destinies this time. But, Sir, let us see what has taken place since then. Two days after the declaration of the Atlantic Charter, Mr. Attlee, the Deputy Premier of Britain, in the absence of the Right Honourable Mr. Winston Churchill, declared that the Atlantic Charter was applicable in the case of India as in the case of other countries. Probably this was a sort of indiscreet announcement. As soon as the British Premier returned he made a declaration that the Atlantic Charter was not applicable in the case of India. We knew him to be a straightforward and blunt man, but still we had a hope that Mr. Attlee's assurances would not be trampled under foot by the Premier. We entertained a hope that this Atlantic Charter would be applied in the case of India as soon as possible. We remained in that hope. Then there were inter-allied conferences which sat in London. That conference was attended by all the allies of Britain including the Dominions and also by Mr. Amery, the Secretary of State for India, but in which capacity we do not know. Be that as it may, that conference passed a resolution and I may read it for the information of the House: the Resolution "declared support for the principles embodied in the Atlantic charter agreed to by President Roosevelt and Mr. Churchill." We were hopeful that the Atlantic Charter would be applicable in the case of India, if not in full at least in part. The first doubt arose in our minds when the Russian Delegation declared the policy of its government and said that the political advance would depend on the economic prosperity of the country. I shall read it for the information of the House:

"The Soviet Union defended the right of every nation to its independence and territorial integrity and its right to choose its own social form and to choose such form of Government as was deemed opportune and necessary for better promotion of its economic prosperity."

That came as a surprise to all the nations who hoped to get some benefit from this Charter. From the declaration of the Russian Delegation it was quite clear that the economic prosperity would play a great part in the determination of the application of this Charter. That upset the political mind of India and even a man like Sir Sikandar Hayat Khan felt doubts whether this Charter would be applicable in the case of India at all. His loyalty to the British Crown is historic and cannot be called into question by anybody; but even he got perturbed and he demanded a declaration from the British Premier to appease his anxiety. Of course, Mr. Churchill could not eat his own words and so he did not make any declaration; but probably at his instance, his lieutenant, the mighty Secretary of State, came forward with a declaration for the satisfaction of Sir Sikandar Hayat Khan and those who thought in his way. I shall read it so that the House might refresh its memory:

"The goal of Dominion Status would be attained with the least possible delay after the war under a constitution framed by agreement among Indians themselves."

There are two things here. One is that the goal of Dominion Status would be attained with the least possible delay. Let us see what this 'least possible delay' means so far as our country is concerned. In the last

Round Table Conference the present British Premier had to give evidence before the Joint Select Committee in 1932-34 and he said then:

"No Member of the Cabinet meant, contemplated or wished to suggest the establishment of a Dominion Constitution for India for any period which human beings ought to take into account."

That was the pronouncement of Mr. Winston Churchill in 1932. Human nature hardly changes, and as he is now at the helm of the administration of the British Empire, we cannot expect him to change his meaning so far as the date of the attainment of Dominion Status by India is concerned. According to him Dominion Status for India can never be thought of in any time which a human being can think of. The Secretary of State is a somewhat cleverer gentleman. He wanted to keep a loophole within the declaration through which he could bring himself and the British Empire from the application of that declaration.

Then comes this second thing. I think the House has by this time lost sight of the Atlantic Charter and I shall bring it to the notice of the House again. It was meant to recognise the right of every nation, European or non-European, to live its own life and manage its own affairs, unhampered by the enforced trusteeship of outsiders. Let us see how it applies in our case. As I said, the Honourable Mr. Amery kept a loophole in his declaration and said that Dominion Status will be attained without delay under a constitution framed by agreement amongst Indians. That is a very big thing. The Secretary of State knows full well that the agreement he contemplates will never be reached amongst Indians so long as his trusteeship is here. He knows full well that the Government have set one party against the other, one nation against the other, that this vast sub-continent of India is divided into so many heterogenous groups,—the Hindu nation has been divided into different sections like the Harijans and non-Harijans, the Muslims have been divided into Sunnis and Shias and Momins and so on. He knows full well that an agreement like this is not possible of attainment in India so long as his trusteeship exists. So this shows that he has kept the loophole when he says that the question of granting any substantial reforms to India would be considered after the termination of the war, and he says: "Well, you are not able to come to an agreement among yourselves; what can we do, how can we help you so long as you remain disunited and disorganized".

Now, Sir, so far as the statements of British statesmen are concerned, our experience is they are like the two sets of teeth of an elephant—one set represents the tusks of the elephant for exhibition and the other set for chewing. In the same way, whatever declarations or announcements are made, the British administrators mean one thing and do quite a different thing. They say something for the ear, while they don't mean to carry out their promises. In this connection, I wish to refer to the famous words which Lord Lytton wrote to the then Secretary of State in the year 1878. This is what he said: "I do not hesitate to say that both the Governments of England and India appear to me up to the present moment unable to answer satisfactorily the charge of having taken every means in their power of breaking to the heart the words or promise uttered to the ear". So like the proverbial elephant which has got two sets of teeth, pronouncements are made with two meanings in whatever they say,—one for the ear and one for the heart. But Mr. Amery could not deceive the people of this country with his pronouncements and assurances although he could satisfy

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Sir Sikander Hayat Khan and men of his way of thinking. But the intelligentsia knew full well that these declarations were all hollow without much meaning, and so long as the British people do not show their sincerity in granting India suitable reforms which the people of this country demand, there can be no real political advancement of this country.

That is the position so far as the meaning given to the Atlantic Charter by the British Premier and the Secretary of State for India is concerned. But, Sir, the situation is really very grave now, and this sort of equivocal pronouncements will not be to the advantage either of Britain or of India. The enemy is practically knocking at our door. The Britishers can of course afford to remain indifferent, because they have taken lots from this country and will be satisfied with what they have taken, but we cannot remain content with the present position. We are determined that the slavery of India should end with the exit of the British. A very big effort is necessary to keep the enemy out of door, and if our overlords are determined not to assist us, it will not matter to us if they go away bag and baggage. But, Sir, in our own interest and for our own benefit we have to keep the enemy out of our country, and how can we do it? A very knotty question arises in that connection. At present there are differences of opinion, and we Hindus and Muslims are running at each other's throat, we are breaking our heads as is clear from the riots at Dacca and Bombay. In these circumstances we cannot render effective help or devise effective means to keep the enemy out of our country. Even at this stage when different communities are breaking each other's heads if the Government come and say: "Well, you agree among yourselves about a constitution and we will give it", knowing full well that such an agreement is not possible, so there is no hope for the future. Sir, the time has now come when sober heads will have to think over and find out means of keeping India safe from the enemy. Sir, the empty benches opposite is a clear indication that the country at large is not with the Government. The Congress represents the biggest political group in this country, and the next largest group is the Muslim League. The Muslim League represents some nine crores of people of this country, while the Congress represents another 15 crores. So these vacant benches indicate that the country is not with the Government. As soon as you are in difficulty, you will find that you have been deceived by your advisers and others who say that the country is with you, that it will come to your rescue when you are in trouble. It is time, Sir, that the British Premier and the Secretary of State reconsidered the whole position and tried to extricate themselves from this difficulty and took India on the road to the political goal without waiting for the termination of the war . .

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

**Maulvi Abdur Rasheed Choudhury:** It will not do if you merely try to keep this country out of the arena of warfare. It will bring endless misery and trouble to both the British Government as well as the people of this country if you maintain your present attitude. The British Government should now show their statesmanship and they should try and bring together all the people holding different views on one common platform, so that in time of necessity the Government could count on the help of these people and take joint action against the enemy. If that is not done, then the next

step will be this country will have to fight them so that the enemy might not be allowed to come inside the country. That step will be very tragic, and I am sure that step will be inevitable, unless this catastrophe is averted by the ingenuity and statesmanship of the British authorities. Sir, I move.

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

"That this Assembly recommends to the Governor General in Council that immediate steps be taken to give effect, in the case of India also, to the joint decision of the British Premier and of the President of the United States of America commonly known as the Atlantic Charter for creating a new world order."

**Sardar sant Singh** (West Punjab: Sikh): Sir, before I make my observations on this important subject which has created some disturbance in the political life of India, I want to point out that the principal Group that ought to have been here to hear us is conspicuous by its absence, I refer to the European Members of the Government of India and the European Group, because my observations are addressed more to the Europeans, I mean Britishers,—I will not use the word "Europeans", I will rather try to use the term "Britishers" than anything else.

**The Honourable Mr. M. S. Aney**: Don't call them Continentalists!

**Sardar Sant Singh**: I would not call them "Continentalists". It is not a new phase of American statesmanship to intervene at the eleventh hour and deceive the world with their "points". There were the 14 "points" of Mr. Wilson, the then President of the United States of America who intervened in the war of 1914-18, and today it is another hypocrite of Mr. Roosevelt's fame who has come and reduced those 14 points into eight. We are accustomed to the hypocrisy of the European nations, we are accustomed to the duplicity of the Americans, and it is not surprising that that duplicity should be shared by a diehard of the type of Prime Minister Mr. Churchill. It may be an impotent rage on our part to call those persons who are in a position to hurt us as hypocrites and given to duplicity in their dealings with our people. They play with our feelings, they have played with our feelings in the past, and they continue playing with our feelings today.

The position is this. In the last war I remember,—I can give the substance of the reply given by the then Prime Minister of England, Mr. Lloyd George, when he was questioned by a correspondent of an important newspaper while he was explaining the theory of self-determination for all nations, what the British people intended to do with India and what the status of India would be after the war. Mr. Lloyd George then replied "Well, if we can conquer Kaiser and his military hordes, surely we are capable of finding a solution for the Indian problem ourselves". Words pregnant with meaning. The above words raised great hopes in the breasts of the politicians in India. There is a long distance between 1918 and 1941, a distance of about a quarter of a century, and we know that we are worse off today than we were in 1918, so far as the political status of India is concerned. Therefore, I regard Mr. Churchill to be more honest than Mr. Lloyd George. I regard Mr. Churchill to be at least free from that charge of fraud and deception towards India. He has plainly told us that the Atlantic declaration does not apply to India. I will presently explain in the short time that is at my disposal what this Atlantic declara-



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tion is and what it amounts to. But I have nothing but praise for the honesty and straightforwardness of Mr. Churchill. Mr. Churchill is the hero of the Britishers today. He commands a very high respect amongst his own countrymen, and I know that he was the bitterest opponent of Indian constitutional advancement when the Act of 1935 was before the Parliament in England. Therefore, Sir, I have no personal complaint or complaint on behalf of India to make towards the attitude of Mr. Churchill. He has been consistent and he has been very frank. So, it need not disappoint us when we know that he has not done anything which was not consistent with his previous policy.

Now, coming to the declaration itself, the first item out of the eight items which the declaration contains, is that their countries seek no aggrandisement, territorial or otherwise. Why should they? Why should they seek aggrandisement? Aggrandisement? British Empire—the sun does not set on it! They want to maintain that empire. So, they are perfectly right when they say that they seek no aggrandisement. If they seek no aggrandisement we have no quarrel. But our present purpose is to deprive them of the right of ownership of this country, called India. We do not want them to be our owners. Therefore, our case does not fall within the first item of this declaration. So far as India is concerned, this first item is irrelevant to our argument. I said that no greater hypocrite and deceptor was born on this earth than this Roosevelt, and I will prove it by the first item in this declaration. May I ask some of my European friends, representatives of the Britishers in this country, what about Lease and Lend Act? How many parts of your empire have you been deprived of by this Mr. Roosevelt in the name of establishing naval bases? What parts have you kindly given away to America? Is it aggrandisement or is it not aggrandisement? The British Empire is being split up for the benefit of America.

**Mr. J. D. Boyle** (Bombay: European): Rubbish!

**Sardar Sant Singh:** What do you mean by rubbish? I know it will trouble you, it will disturb you. I am here to disturb you. I am disturbing you, I am deliberately disturbing you, bringing home to you how many parts of the British Empire you have quietly given away to America, and yet America says that it is not aggrandisement that they seek! That is a curious thing. Hypocrisy cannot go further.

Let me take the second item of this declaration. The second item says:

"They desire to seek no territorial changes that do not accord with the freely expressed wishes of the peoples concerned."

Did you take the wishes of Iceland before American troops occupied that place? Did you take the free expression of Syria when you occupied that country?

**Mr. J. D. Boyle:** It is not occupied.

**Sardar Sant Singh:** You say it is not. We see it differently. We look upon it differently. Do you say that you took a referendum of the Iranian people when you sent your forces there and occupied Iran?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member should address the Chair.

**Sardar Sant Singh:** I am addressing the Chair. The facts are entirely different from what they are represented to be. You say that without the express wishes of the peoples concerned you would not go to those places. Well your conduct belies your words.

**The Honourable Sir H. P. Mody** (Supply Member): It will all be different after the war.

**Sardar Sant Singh:** That is the right position. Sir Homi Mody for whom I have great respect has been our colleague for the last 12 years. He knows the difference and I wish him good luck on that Bench when he tries to bring about what he thinks now. I will wait to see that blessed day.

Then I come to No. 3. It says that they respect the right of all peoples to choose the form of Government under which they will live and they wish to see sovereign rights and self government restored to those who have been forcibly deprived of them. This item clearly refers to those countries which have been overrun by force of Hitler. In a very joking mood, yesterday at question time I told the House that that declaration will be applied to India provided India is prepared to be overrun by Hitler's forces. I thought that small slogan must have brought home to the Secretary of State and His Majesty's Government in Great Britain in what light this declaration has been received in India. This one sentence which I uttered yesterday has a very interesting history behind it. When we were in Lyallpur, we were discussing this declaration. Somebody remarked very cleverly and probably to the point 'Don't you see that this declaration is not intended for India'. I said 'Why?'. He said 'Don't you see the word 'over-run'. That word 'over-run' carried some light to all of us. On that very day when this declaration was made, we would anticipate Mr. Churchill saying that it does not apply to Indian conditions. We know it and that is the reason why there was unconscious knowledge to all India that this declaration was not intended for India. At the time that this declaration was made even Mr. Satyamurti did not issue a statement about it. None of us issued any statement. Only we were surprised to see a cable sent by Sri Savarkar to the President of the United States asking whether the Charter will apply to India.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

**Sardar Sant Singh:** Very well, Sir. I shall hurry up. That cable still remains unanswered. Then I come to No. 4 which refers to obligations: subject to existing obligations, to fulfil the enjoyment by all states, great or small, victor or vanquished and so on. I shall not go deep into this but the fact remains that Mr. Churchill claims that the British have got obligations in India on account of their long connection with India. Who is to break these obligations. Is it considered that Hitler will break these obligations and then India will get freedom.

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

**Sardar Sant Singh:** Finally Sir, I will tell Britishers and Mr. Churchill that India does not look to Britishers for its freedom and that India will look to itself, to its own effort to get rid of this ownership of the British people of our country. If we are capable of doing it, we shall do it. If not, we will remain slaves.

**Mr. Govind V. Deshmukh** (Nagpur Division: Non-Muhammadan): Sir, the subject matter of the Resolution is the Atlantic Charter. Now let us see what brought this into existence? It was the helplessness of the Britishers that brought into existence this Atlantic Charter. It was then a matter of self-preservation. Of course it is only natural. Every human being and every animal tries to preserve itself. That is the law of nature. It is this instinct of self-preservation that brought into existence this Atlantic Charter. When the tide was changing in the beginning of the war in favour of Germany, when the Britishers could not make any headway in France and France was at the point of capitulation, Mr. Churchill came out with a declaration to identify the interests of the British and the French and to have one empire and one constitution. Mr. Churchill is a man given to making bold statements and adopting a very bold policy on important occasions and his instinct of self-preservation is certainly very strong. We can see that the Atlantic Charter was brought into existence merely to save the Britishers. Now, the terms of the Charter have been read out by the Mover as well as by the Speaker who preceded me. The Resolution asks that certain immediate steps be taken. Does anybody know that really certain immediate steps are being taken to give effect to the Atlantic Charter. The Resolution is worded so as to imply that no steps are being taken to give effect to the Atlantic Charter. It has been forgotten that certain steps are being taken to give effect to the Atlantic Charter. The steps taken are such as to promote the interests of the Britishers at the sacrifice of Indian interests. This was the subject matter of my Adjournment Motion. After this Atlantic Charter came into existence, an Allied Council met in London. Such countries as have been overrun by Hitler and who are the allies of the Britishers met in London and had a Conference to guard and promote their own interests. Those were their aspirations as regards the reconstruction after the war so far as their respective countries were concerned. Now, India happens to be a member of this Allied Council. There are also the delegates from Australia and other countries who attended this Conference and who are the members of it. Mr. Amery is also taking part in these Conferences. Unfortunately, I have not brought all the papers regarding the origin of the Atlantic Charter and the papers connected with the Allied Conference because we never expected that this Resolution will come up for debate. But God is on our side. This subject which had been overruled so many times has anyhow come now before the House and we are given an opportunity to express our opinion on it.

If the Britishers do not wish that India should have anything to do with this Atlantic Charter and that it is inapplicable to India, then why take our help? Why do you want to make it applicable to India so far as Article 4 is concerned which deals with the economic reconstruction. They should be ashamed to take this kind of help from this country

when they do not wish to raise its political status as a free country and as a country which should enjoy the same standard of equality and freedom as they are themselves enjoying or those delegates are enjoying who attended this Conference. This is extremely selfish of them and it is this selfishness Himalayan in size and pure and simple in nature on their part which is compelling me to spill my blood and to part with my money to preserve the British Empire. If any other person had behaved in this manner, he would have been called mean and selfish and all sorts of bad things would have been said of him. But here is a country which poses to practise the principles of justice, equity and good conscience—I do not know what has happened to their conscience—which comes forward and swindles me of my money and makes my people to shed their blood in order to save the British Empire and to bring about its economic reconstruction after the war. They want the Indians to shed their blood in France, in Persia, in North Africa and other places to save their Colonies which have not shown the slightest regard for our self-respect. It is all very well to say that our soldiers have done very well and that they are brave and courageous. But let them understand that these compliments do not count with us now. Whatever may have been the case some years ago, let me tell them that these compliments are not going to stimulate us to any further action, either to part with our money or to help them voluntarily and encourage their effort to the extent that we would have been able to do had they said that this Charter was applicable to India also and that they were going to raise our political status.

Now, let me come to this Atlantic Charter. How was it received in India? As soon as this Charter was broadcast by Mr. Amery—and there was a special broadcast for it—, Sir Tej Bahadur Sapru came out with his statement and he condemned Mr. Churchill's statement that it was inapplicable to India in the strongest possible terms. A very responsible Minister of the Punjab also condemned Mr. Churchill's statement and said that it was most unwise and that it had hampered the efforts of those persons who were trying their level best to promote war effort. He further said that if there was any statesmanship left amongst the Britishers, an immediate declaration should be made that India's status would be that of a self-governing colony within two or three years after the war. He said that a declaration to this effect was to be made immediately. A similar suggestion was made by Sir Tej Bahadur Sapru. Sir, I am pleased to see that there is today an Honourable Member in this House who condemned Mr. Churchill's statement,—I mean the Honourable Mr. Nalini Ranjan Sarker. He forms a part and parcel of the expanded Council, a Council which is going to look after our national aspirations and our prosperity and I hope he will be the first to see that some action is being taken by the Government of India to bring the Secretary of State or His Majesty's Government to their senses and to make them think that if they want India's money and India's men, then it is very necessary that they should come out with a declaration that this Atlantic Charter is as much applicable to India as it is to any other country which has allied itself with them and is trying to save their Empire, to save their lives and to save other parts of the British Commonwealth. It seems to me that we are not merely helping Great Britain but we are going to save America also because it appears that Hitler's aim was to conquer part if not the whole of America. So, we

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have taken upon ourselves a Herculean task of defending these people. Let them take this fact into consideration that India is a country which can supply any amount of man-power and material. As a matter of fact, we are the key country which is supplying raw material for the manufacture of ammunition to all the different parts of the Empire as well as to America. Let them consider, therefore, the whole matter from the point of view that India should help them voluntarily and should supply as much man-power and raw material as she possibly can, and expand her voluntary response, and this can only be if this country is given the same status as other Dominions enjoy within two or three years after the war, and a declaration be made to that effect immediately.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

**Mr. Govind V. Deshmukh**: I have finished, Sir, and I resume my seat.

**Qazi Muhammad Ahmad Kazmi** (Meerut Division: Muhammadan Rural): Sir, the question of the Atlantic Charter and of its non-application to India is such a simple one in its significance that it does not require much argument to condemn the attitude of those who have made that declaration. Sir, in books of constitutional law and history we read that at first there is the government by autocracy, then it changes into the government by hypocrisy and, ultimately, democracy comes in. There have been days when there was autocracy pure and simple in India. We all know of it. Then it was followed by government of hypocrisy which continued for a sufficiently long time. We have been quoting English Viceroys and Governors General and other big personalities who admitted the fact that promises made to the ear were broken to the heart. These are the words that have been quoted by one of my predecessors taken from an English Viceroy. So, the fact that the British were carrying on the Government of India by hypocrisy is a well established fact. We may complain of it, we may not complain of it, but it was a fact, it was admitted by everybody concerned. But we were putting up all these hypocrisies in the hope that according to the law laid down by constitutionalists, this is to be followed by democracy. But today we find that the British people realise that it is no more desirable to continue with that hypocrisy and so they have come back to autocracy pure and simple. This is a retrogression pure and simple.

My Honourable friend, Sardar Sant Singh, admired Mr. Churchill for his frankness. I do not admire his frankness because I think what he has done is to speak the mind knowing our feelings, knowing that India is so weak that he can speak his mind to India. They call a man the best statesman when he is a hypocrite. I do not feel why Mr. Churchill is not a statesman. He is not equally frank in other things, but here he is frank because he realises that he was to tell the truth to the people who are so weak as not to be able to protest against his declaration, or even if we protest, it would be of no matter to that gentleman or to the Government. Sir, at a time when Britain is involved in a war of this magnitude, at a time when they are talking of freeing the countries that have been overrun by Hitler, probably the idea

of Hitlerism is prevailing in their very minds themselves. They are probably taking lessons from Hitler in his methods. Whatever we know of Hitler, we know only through our Britishers. We do not know what is reality. But from what the Britishers tell us, we conclude that Hitler is an autocrat. Are the Britishers going to learn lessons from Hitler who is an autocrat himself, and declare that people who have the misfortune to come under their sway were not to be liberated for all time to come. This is what in reality the declaration of Mr. Churchill amounts to.

Now, Sir, a nation which is so surrounded by enemies, day after day it is requiring the help of other nations, day after day, it is sacrificing one friend after another for its own safety, a nation which tells its friends that when it becomes successful, it will see that the sacrifices they have rendered will be awarded—that very nation comes to India and says: “we are not going to consider your case as those of the other free people”. They do not want to give even a false promise to the effect that India would be a Dominion after two years after the close of the war. Even if such a false promise had been given, many gentlemen in this country would have come forward voluntarily and said: “we are prepared to help the Government”. But even that false promise was not considered necessary. So, what the British statesmen are feeling are that India is so weak, India is so helpless that it can be told to its very face that it is a slave country and it will continue to be so for all times to come. Now, Sir let me tell them through you that India does not depend upon others for getting independence, it does not depend upon others for any boons or any favours. India does not depend for the breaking up of her chains upon Hitler. India is not caring for the favours of this nation or that nation. If India is to get her freedom, it will be by standing on her own legs. When we realise the situation in the world, we are no longer hesitant to censure or to record our protest not only against any aggressor, but against the British Government itself which, we are convinced, are nothing short of aggressors and want to perpetuate that aggression. This is so far as the constitutional aspect is concerned. Now let us look into the moral aspect. There again the matter is too apparent to require any comment from me. What right have these gentlemen to say that freedom should not be granted to India even after the war. What right have they got to exploit men and materials of this country when they do not consider us fit to be free? What right have these gentlemen got to make an appeal to Indians that this is your war and that your country is in danger. What right have these gentlemen got to ask us, help us in freeing the world of Hitlerism. It is an absolutely inconsistent position they are taking up with respect to India itself. These are conditions which are too apparent to require any comment from me.

Now, Sir, let us see whether this position is accepted even by the best friends of Englishmen themselves. I mean in the sense not of Englishmen but of the Britishers who are governing India. People who call themselves Moderates or who call themselves Liberals and who co-operate with the Government from beginning to end, how have they reacted to this declaration of Mr. Churchill? I see here one of my Liberal friends sitting in this Honourable House and I hope he will rise to speak the opinion of his Party and of persons of his mode of thinking. They have all denounced the de-

[Qazi Muhammad Ahmad Kazmi.]

claration of Atlantic Charter because it is not made applicable to India. Everybody who understands India and who understands politics and who has any knowledge of India has denounced the declaration of Mr. Churchill regarding the Atlantic Charter. The Premiers, the Moderates, the Liberals have been crying against it. When there is denunciation of this Charter from all sides, it is useless for me to speak more about it. Let them satisfy their friends and say where they stand and where are we. Sir, I support the motion before the House.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): Sir, my

**1 P.M.** Honourable friend, Mr. Deshmukh, mentioned the difficulty about discussing this Resolution because he has not brought the materials thinking that this Resolution would not be reached. That is my condition too, but anyway it has been reached and we have got to discuss it. To begin with I must say that I do not see eye to eye with my Honourable friend, Sardar Sant Singh, when he eloquently paid a tribute to Mr. Churchill's frankness in saying that the Atlantic Charter will apply to other countries but not to India; but that is not a matter on which he should be complimented and I think it was a great mistake on his part to take up that attitude. Apart from that, I have read a book on Mr. Churchill's biography and I formed the impression that it is not only now that he is hostile to India but that from his very early life when he was a military officer in India his attitude and his views with regard to India were most adverse. He has maintained that hostile attitude and I do not understand why? He himself has not said anywhere that we Indians are inferior or that we are not entitled to the same privileges and rights as are enjoyed by other countries within the Empire. Therefore, I do not know why he comes into our way, but it is clear that his statements cannot be supported by any arguments or any reasoning. The attitude of the Secretary of State towards India has so far been one of most unreasonable persistence and dogmatism. From the very beginning Mr. Amery has been singing the same song and every now and then he puts forward the view that the different Indian communities should prepare a joint demand which he says will be considered,—not that it will be accepted but considered only. The question is whether it is possible to agree upon any point formulæ. I say for this India is not responsible but it is a responsibility which lies upon them because from the very beginning they have been ruling India by a policy of divide and rule. By following that policy they have succeeded in estranging the feelings of the communities, by giving jobs to one community and titles to another and so on.

**An Honourable Member:** Are you not a Dewan Bahadur?

**Mr. Lalchand Navalrai:** No, I am not. My title of Diwan is a hereditary title given by my society and not by Government.

Sir, the Secretary of State said that we would put forward a joint demand and that will be considered. Since then statesmen in England and in India belonging to all parties have asked that the Secretary of State should not stand still there but should at any rate consider the demands made by all parties and find out a way. But that has not been done. What did they do in the case of the Communal Award? The

parties did not make a joint agreed demand and still the award was given. Therefore to sit stagnant and not to rally round the parties is absolutely wrong.

With regard to the Atlantic Charter it is wrong to say that it does not apply to India. It has been interpreted by every one as applying to all nations and there is no indication anywhere in it that India will be excluded. Then why should there be this subsequent interpretation by Mr. Churchill? I say it is a dishonest after-thought interpretation. After this Charter was signed the first statement that came out was the one made in the British Parliament by Major C. M. Attlee, who said that the declaration was applicable to Asiatic countries also. Now, I ask is India a nation or not? Has he taken India out of the map of Asia? Therefore, according to the first announcement that was made, in other words, the first interpretation which was put upon this Charter was expressed by Major Attlee, we find that he also said that they respect the right of all people to choose the form of Government under which they will live. The Charter itself also says so. I will read:

"(3) They respect the right of all people to choose the form of Government under which they will live."

Now is this general, or not? The House may read it for itself and give a verdict whether it applies to India or not and whether it is not a second thought. When in other countries, even in America, it was said that this would apply to India also, then the hostile eyes of Mr. Churchill were opened and he came forward and said, 'No, it applies to European countries only'. But why should it apply only to European countries? Is not India also threatened by the war? Is not India also to suffer on account of the war and was it not a critical moment for India also when this Charter was made? So why make this invidious difference which not only injures India but adds an insult to injury. I also find further that Mr. Cordell Hull, Secretary of State for Foreign Affairs, United States of America, made an announcement in the press with regard to the aforesaid declaration that its principles were universal and meant for practical application. I, therefore, say, Sir, that this principle should also apply to India, and there is absolutely no reason why it should not. Fairness requires it, justice requires it and commonsense requires it. But to exclude India and say: 'Well, you will remain as slaves, you will remain as subordinates to other countries' is an insult to injury. Time has come now when we must have equal rights and freedom. We have been helping in this war—at any rate, if all are not helping, some are with materials as well as men—and therefore to deny them equal rights is to deny what they are justly entitled to. Now, Sir, anybody who has read the speech of Sir George Schuster, who was once adorning the Benches here, will be convinced that he is not satisfied with the attitude of Mr. Churchill or the Secretary of State for India when he says, 'If you want to keep India with you, you must proceed further and consider the demands that have been put forward' and not to follow the policy of unexampled opportunism.

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



The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

**Mr. N. M. Joshi** (Nominated Non-official): Sir, I rise to a point of order. This debate on an important subject has been going on for some time and the Government of India are keeping quiet. The debate really cannot take place effectively unless the spokesman of the Government of India tells the House what his attitude is to the Resolution. I would, therefore, request you, Sir, to ask the representative of the Government of India to speak immediately so that the other speakers will know what the attitude of the Government is and make their speeches accordingly.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): I can only convey that request.

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muham-madan Rural): That is also the parliamentary practice as I have seen it in the House of Commons, that as soon as the Mover has finished his speech the Government place on the table what their intentions are, so that the debate can be concentrated and does not become a wandering aimless debate.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Apart from the practice and rule, it is certainly desirable for useful debate that the Government should express their attitude soon. But Pandit Maitra has already been called.

**The Honourable Mr. M. S. Aney**: May I say that immediately after Mr. Lalchand Navalrai finished, I got up?

**Mr. Deputy President** (Mr. Akhil Chandra Datta): It seems to be the desire of the House that Pandit Maitra should be called upon to speak after the Leader of the House.

**The Honourable Mr. M. S. Aney**: Sir, the question raised in this Resolution is one in which, no doubt, the people of India in general are bound to take very keen interest. The important pronouncement that has been made and goes by the name of the Atlantic Charter has attracted attention of people all over the world, and India, as one of the countries fighting along with Great Britain, was bound to feel interested in the pronouncement that was made to clear so to say, the war aims once more. Therefore, I was very anxious that this House should get an opportunity of discussing this matter and I am very glad to find that the House got an opportunity and some Members by this time have expressed their opinions.

Now, Members are anxious to know what views the Government have thereon. I believe it should not have been difficult, at least for experienced Members of this House like my friend, Mr. Joshi, to know what the attitude of the Government to anything like that would be. In the first place, there were a few questions addressed on this point and a number of supplementary questions were put. Replies were given to those questions and those replies by themselves were sufficient to give some indication of the position of the Government of India as regards this particular point. I am mentioning this fact for this reason that the House cannot say that it was

absolutely in the dark and had no inkling of the views of the Government on this point. It had something to go upon as to what were the views of the Government of India . . . . .

**Mr. N. M. Joshi:** No views!

**The Honourable Mr. M. S. Aney:** I wish the Honourable Member to wait and listen to what I am saying. The Government of India may have their own views: it was expressed yesterday in reply to certain questions that we leave it to the House and to Members to draw their own inferences from the pronouncements made by them. Constituted as we are, it will not be desirable for them to comment upon or criticise in this House the pronouncement made by the Premier. In the first place, the Government of India are not a party to the Charter that was signed by President Roosevelt and Mr. Churchill. Those who signed it are the proper persons to say what was in their minds when they signed it. Others can only interpret it in the light of dictionaries and grammar and other things; but as to what was in the minds of those who put their signatures to that Charter, they are the only proper persons who can say what they exactly meant. We have got an authoritative interpretation from one of those signatories that certain clauses which appear to be somewhat more comprehensive have got a certain meaning about them. I am referring particularly to clause 3; it is this clause which seems to be the subject matter of criticism and discussion in the House. It says:

"They respect the right of all people to choose the form of government under which they will live and they wish to see sovereign right and self-government restored to those who have been forcibly deprived of them."

That is one of the clauses of which the House was anxious to know what was its precise implication, and whether it had any application to India or not. On that point the Honourable Members of this House know that Mr. Churchill himself made a statement on September 9th to this effect: referring to the Atlantic declaration in the course of the war review, he said:

"The Joint declaration does not qualify in my opinion the various statements of policy which had been made from time to time about the development of constitutional government in India, Burma or any other part of the British Empire."

Then he refers to the Declaration of August, 1940, as the one by which they stand pledged and then he goes on to say that they will make every endeavour for the fulfilment of the obligations arising from their long connection with India and their responsibility, etc. The point is this: what is it in the first place that is laid down in this clause of the so-called Atlantic Charter? Anybody who reads it will see that it is the principle of self-determination laid down in that clause. What is stated there is "they respect the right of all people to choose the form of government under which they will live and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them." Evidently the latter clause indicates that the framers of this Charter had before them those countries which have lost their independence during this war . . . .

**Mr. N. M. Joshi:** So have we before the war.

**The Honourable Mr. M. S. Aney:** I am just putting before you the clause as it stands and what was before them when they signed the Charter. Whether it was the right thing or the wrong thing is a different thing altogether. I am trying to place before you what was probably working in the minds of these two big plenipotentiaries when they met

[Mr. M. S. Aney.]

somewhere in the sea and signed this declaration. If we go by the wording of this, it appears to me that they mean to restore the rights of those who have been forcibly deprived of them. It is well-known that in this war a number of countries have lost their freedom by the aggression of Hitler or somebody else. The Atlantic Charter is a charter which was signed by them when America and England, so to say, became allies in a common cause. That being the case, my own inference is this, that they were probably referring to those countries which have lost their freedom in the course of this war. But it does not mean that the case of other countries which have lost their freedom is altogether absent from the minds of the British statesmen. Therefore, it is stated here that by this principle of self-determination or whatever is stated here it should not be understood as laying down the principle that the pledges that have been given with regard to India have disappeared or have been so modified as to have no application whatever hereafter. What is stated there is this, that this Charter should not be construed to mean that the pledges that have been made from time to time with regard to India and Burma in the form of several declarations have disappeared or they no longer stand. That fact is reiterated by the Premier.

Now, I should like to explain as to what would be the exact position assuming for the sake of argument that this Charter applies to India. Let us assume that this Charter applies to India, although Mr. Churchill's statement creates a position of ambiguity on the point as to whether that Charter applies to India or not with certain modifications in the light of the statements made before. If it is to apply, it can be used only in this sense,—that it applies to India with such modifications as are necessary in view of the pledges made before with regard to India. Suppose it applies to India,—what does it come to? The people of India are free to choose their own constitution: Now whether that right of choosing their own constitution is conceded to the people of India or not in the Declaration of August, 1940, or not is a point which we have to consider. Now, Sir, before I answer that question, I wish to say something more. The people of India, whether there was a European war or not, have made up their mind to make a supreme effort for getting their liberty and freedom in this country; also the Government of India and the people of India have evolved certain policies which they have been pursuing all these years to create certain institutions which might ultimately lead to the establishment of Dominion Status in this country. India has been making progress in this direction, and in the same direction both the Government of India and His Majesty's Government are proceeding step by step. Even if there was no European war, people thought that the particular line of progress at present followed, was so slow that it required to be accelerated. The grievances on that ground exist and they have been ventilated many a time. Even when there was no Atlantic Charter, it has been clearly stated that the August declaration is defective, although it concedes in one place the principle of self-determination. It is defective, because it is circumscribed by certain conditions. But the fight of the Indian people with the British Government is to secure some kind of declaration which will be satisfactory to the people of this country. But do you think that by merely declaring that the Atlantic Charter does apply to India and if nothing more is done, you will get what you want? That will not satisfy us. I very much wish that a less ambiguous statement had been made.

but by merely stating the fact that the Atlantic Charter does apply to India, India's cause will not and cannot progress. On the other hand, I may bring to the notice of Honourable Members of this House the remarks which Sir Sikander Hayat Khan, the Premier of the Punjab, has made about this matter. In criticising the pronouncement made by the British Premier with regard to the Atlantic Charter, in a statement Sir Sikander Hayat Khan, the Premier of the Punjab, says that that Charter, even if it applies to India, is not going to help the people of India any more than what the Satyagraha movement is going to do. Meaning thereby that even those who find fault with the statement of Mr. Churchill for having made the position ambiguous or harmful do not share in the conviction that a mere pronouncement about the application of the Atlantic Charter will really satisfy the aspirations of the people of India or will help them to go forward in reaching their political goal . . . .

**Mr. Lalchand Navalrai:** Can't that be regarded as a promise?

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadian Urban): They will break that promise.

**The Honourable Mr. M. S. Aney:** So far as that promise is concerned, if I have correctly understood the observations made by some of my esteemed friends, for whom I have great respect, it comes to this. Some of them began with a denunciation of British statesmanship for its hypocrisy; some of them stated that it is a story of broken pledges. If that is the real conviction, then I believe we need not bother ourselves about getting any more promises from them. If it has any meaning, if the implication carries anything with it, it is this, that you have to stand upon something else, than a bare promise coming either from the Premier of Great Britain or from the United States of America or from any other quarter from any other part of the world. So either we should accept the promise given by a statesman of that eminence as having some meaning—and you should expect the British Government to carry it out, or we should not accept it as having no meaning at all. If you believe in the first thing, then the Atlantic Charter can be applied and can be made effective only at the end of the war. That fact must be remembered. The present Resolution makes it somewhat very difficult for anybody to follow. It says: "they must take immediate steps to give effect to the Atlantic Charter" and so on . . . .

**Mr. Govind V. Deshmukh:** Article No. 4 of the Charter is being given effect to before the end of the war.

**The Honourable Mr. M. S. Aney:** I am speaking on Article No. 3.

**Mr. Govind V. Deshmukh:** Sir, you were dealing with the general aspect as to whether anything can be got out of the Atlantic Charter and whether that Charter is applicable now or it will come into force after the end of the war, and I am saying that part of the Atlantic Charter . . . .

Honourable Member does not give way.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Order, order. The-

**The Honourable Mr. M. S. Aney:** I am prepared to give way. I want to hear my Honourable friend.

**Mr. Govind V. Deshmukh:** You said that the Atlantic Charter means the Charter as a whole and that will come into force after the end of the war. I want to suggest . . . .

**The Honourable Mr. M. S. Aney:** I am only discussing clause 3 here, and I believe all the criticism with regard to this Atlantic Charter mainly centres round the interpretation that has been put upon clause 3. That is my main contention. I have said that it has no reference to clause 4. I will read the clause 4 for my friend's information . . . .

**Mr. Govind V. Deshmukh:** The general observation was that the Atlantic Charter will come into force after the end of the war.

**The Honourable Mr. M. S. Aney:** I am not talking of the Charter as a whole. I was concentrating my observations only on clause 3 which has got an important bearing on the political goal which is envisaged for us by the British Government. That was my point:

"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."

Nobody can take any exception to that clause at all. The terms of equality in the matter of trade and other things which are promised here do certainly hold good in the case of India also, there can be no doubt about it. This does not modify in any way the pledge that has been given with regard to the pronouncement of August 1940—the pronouncement of August, 1940, does not deal with the subject which is dealt with in clause 4. Therefore, my Honourable friend need have no apprehensions at all on that point. If the charter applies to the whole world, then India is included in it because the limitation that has been suggested does not in any way apply to clause 4 of this charter. It does not apply to it at all.

I, therefore, state this that in a matter of this kind it is impossible for Honourable Members to expect that the Government of India can form or express its own conclusions on the floor of this House. All that the Government of India can be anxious for is to ascertain the views of the public on the point, and I believe the Government of India has afforded this House a proper opportunity for ventilating their views on this very important question. It shall be the duty of the Government of India to keep His Majesty's Government duly informed of the feelings and sentiments which have been expressed in this House and which have been strongly aroused by certain pronouncements. The attitude of the Government towards this Resolution would be to leave it free for the non-official Members of the House to decide their own attitude and the whole debate will be sent on to the proper authorities for keeping them duly informed of the views of this House.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): Is it going to be put to the vote?

**The Honourable Mr. M. S. Aney:** Yes, if they want to.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): Mr. Deputy President, my first reaction to this Resolution has been one of intense dissatisfaction and even of disgust. This Resolution asks for a recommendation of this House to the Government of India to transmit a request or another recommendation to the Home Government in England that the Atlantic Charter may be made applicable to India. As I stand up to speak, I find only about a quarter dozen Atlantic people in the House, I mean people who would benefit by the Atlantic Charter, and this shows the importance the Government of India also attach to this question. On an important discussion like this it is only by accident that we find the Honourable the Finance Member to whom the Atlantic Charter is applicable, sitting in his place.

**The Honourable Sir Jeremy Raisman** (Finance Member): The same accident as that by which you are standing in your place.

**Pandit Lakshmi Kanta Maitra**: I mean no reflection on you personally. It has been held that the Atlantic Charter does not apply to me, and I know that no Atlantic Charter or any charter other than the Indian Ocean Charter, a charter of bondage and humiliation is applicable to me and to my country.

Sir, a good deal of furore has been created of late on this question of applicability of the Atlantic Charter to India. I pity those of my countrymen who have pursued that path. Today I am pained to see that an esteemed friend of mine has taken it into his head to have a Resolution moved on it and a debate is being raised over it. Asking the Home Government if the Charter is applicable to India is like asking the men of Great Britain whether two and two makes four in India also if it makes four in England. It is quite as simple as that. In the body of the Charter itself there is Article 3 which ought to set all doubts at rest, as to its applicability to India, notwithstanding anything the British Government may now try to do to wriggle out of the uncomfortable position to which they had been driven by the force of circumstances. It cannot be made inapplicable to India by any stretch of imagination, by any torturing of the language. The provision is so clear and comprehensive. But nevertheless it has been subsequently declared inapplicable to India.

Now, Sir, what is the genesis of this Atlantic Charter of which we have heard so much today? We have to carry our minds back to the position of Europe immediately before the war. Vanquished and humiliated Germany was smarting under the Treaty of Versailles, but she was biding her time. She prepared herself when the so-called victorious countries, infatuated with victory and with the Treaty of Versailles had gone to sleep. When the greatest militarist of the world began to take country after country, when *coup d' état* after *coup d' état* took place without any let or hindrance and when at last came the turn of Poland, then the British militarists furiously set about thinking how to arrest the further progress of this man, Hitler.

**Sir Cowasji Jehangir**: Mr. Deputy President, I am sorry to interrupt. The heat of this Hall is great and could not the cooling apparatus be

[Sir Cowasji Jehangir]

worked a little? I do not see why we should not take advantage of the apparatus which is here.

**Pandit Lakshmi Kanta Maitra:** I do not mind the interruption, but I am sorry it has broken the thread of my argument.

**Sir Cowasji Jehangir:** I apologise. Now, you can take off your muffler!

**Pandit Lakshmi Kanta Maitra:** When Poland was threatened with invasion, promise to help her and to defend her came from the British. Three weeks demonstrated to us how they helped Poland and what fate Poland met with. The Allies were not at all serious about the war and there was absolutely no enthusiasm in the peoples. And why? Ever since the declaration of war by the British Government there had been persistent demand in England and in this country for a declaration of the war aims of the Government. Inside Parliament and outside and throughout the country there was a whirlwind campaign and people wanted to know from the warmongers or those who declared war, what it was they were fighting for. Various war aims were propounded from time to time according as it suited the purpose of persons in authority, but they satisfied none. Those who have read the reports of those days will remember that even no less a personage than George Bernard Shaw exposed the British Government in one of his finest articles as to their war aims. Sometimes it was said that it was the restoration of freedom of Poland. Again, after several other European countries had been overrun, restoration of freedom to the lost European countries was the declared aim. Later on, it was said, destruction of Hitlerism in Europe was all that they fought for. All these aims failed to enthuse the people not only in this country but in Great Britain itself. Also America which held aloof at the beginning and had been carrying on only on the basis of cash and carry, could not be persuaded to join the British as their ally, because in America itself there was a strong and powerful isolationist group that refused to take sides until there was a declaration of the war aims of the British Government. But, when in time Nazi steam roller swept over the whole of Europe, John Bull, beaten, battered and brought to bay, rushed out to grasp the hand of Uncle Sam in a corner of the Atlantic, unknown, unnoticed, unperceived by anybody, in order that they might evolve a formula by which the imagination of the peoples could be captured. Eventually they came out with a joint declaration, because that was necessary. If the trouble was great in Britain it was not plain sailing for them in the United States either. There was sabotage on a large scale. War material could not be produced in the scale it was expected to be produced. Men like Colonel Lindbergh, Henry Ford and others were against participation of America in this war because they did not believe in the war aims. So something had to be done to fire the imagination of and to enlist the genuine sympathy of the peoples of both the worlds and the result was the joint declaration of Mr. Winston Churchill and President Roosevelt now popularly called the Atlantic Charter.

When the Atlantic Charter was published, big men in England and in this country proclaimed from their housetops to Indians. Here is a Charter for you also and you are going to reap the

full benefits after this war in pursuance of this Charter. I do not remember one single journal in this country including the English journals which held any different view from that. There was almost a consensus of opinion among the public men and journals in this country that after all some great step forward had been taken by Mr. Winston Churchill and President Roosevelt and that it had finally set at rest the doubts of Indians who refused to believe in the *bona fides* of the British and Americans. Nevertheless, having regard to the past, there were yet people who refused to believe in the *bona fides* of this declaration and Vinayak Savarkar, the redoubtable President of the Hindu Mahasabha, sent a telegram to President Roosevelt enquiring if this declaration was going to be applicable to India as well. At once the bubble was pricked. If it could be made applicable to India, then the Britishers would lose all their claim to remain here as Rulers or as trustees of this country. How can Great Britain and America consent to a clarification of this position when the interests of both were unsolved and when America was prevailed upon to give war materials and all manner of things under the Lease and Lend Act. How can President Roosevelt allow that India also should be included in this when America's interests might be prejudiced by it? No. They were not going to hypothecate India's future beforehand. That implication was simple. Today we are told in this House that even if the Atlantic Charter was made applicable to India, that would have made no vital difference. With great respect to the Honourable the Leader of the House, I join issue with him on that. There is a great deal of difference from the point of view of international law between the declaration of August, 1940, and the Atlantic Declaration of 1941.

**The Honourable Mr. M. S. Aney:** I never said that the August Declaration of 1940 and clause 3 of the Atlantic Charter mean one and the same thing.

**Pandit Lakshmi Kanta Maitra:** Nor did I. I understood the Honourable the Leader of the House to say that even if the Atlantic Charter was made applicable to India, that itself would never have solved India's problem,—would not have met India's demand. My point is this. If you think that the Charter by itself does not give away India to Indians, then why should Mr. Winston Churchill be afraid to make a straightforward declaration here and now that it also applies to India? The position is this. Britain's connection with India during the last 200 years is one long unbroken record of dishonoured pledges and broken promises. Words of promise solemnly uttered to the ears of Indians have been broken to their hearts. That has been the greatest indictment of India against Great Britain. What happened during the last great European war? It was Indian soldiers who really saved Britain and France. But for the reckless courage, bravery and patriotism of Indian soldiers, the history of the last European war would have been written in a different way and the whole political map of the world would have been changed. During the last war, India's contribution in men and money was so immense that it compelled the then Secretary of State for India to make the Declaration of August, 1917, promising self-government to India. After the war, we knew what we got. This time even though the British Government told us plainly that this was not an Imperialistic war, the greatest political



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organisation of this country, the Indian National Congress could not believe it and it also demanded a clear declaration of war aims from the British Government in relation to India. At that time eleven autonomous governments had been functioning in this country and the Secretary of State and other public men of Britain paid eloquent tributes to the manner in which Provincial Government was being carried on in the provinces. The Central Legislature was also functioning. Yet when the war came to be declared, the Provincial Governments and the Central Legislature were not even formally consulted, and yet we were asked to believe that this was not an imperialistic war. During the last war it was said that it was fought to make the world safe for democracy. This time that expression has not been used because Britain had been found out after the last War. Having made the Atlantic declaration in August last Britain recanted and now we have been told by the spokesman of the British Government, Mr. Winston Churchill, that the Atlantic Charter was an entirely different matter having no relation to India and that the British Government stood by the August offer of 1940. The implication seems to be that. When proposals for peace will be considered or when the peace treaty will be signed, India will be treated as a domestic concern of the British Government and the powers participating in the Peace Conference would have nothing to do with India. If on the other hand, the Atlantic Charter is declared applicable to India then India would benefit by Article 3 which expressly lays down that the Governments of America and Great Britain respect the right of all peoples to choose the form of Government under which they will live and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** The Honourable Member has one minute more.

**Pandit Lakshmi Kanta Maitra:** May I point out that I have been subjected to an interruption which took away five minutes of my time.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** The Honourable Member can have three minutes more.

**Pandit Lakshmi Kanta Maitra:** May I ask the British Government whether long lapse of time has deprived us of the right to restoration of our lost freedom, a right they have promised to other nations? We were robbed of our freedom 150 years ago by Britain whereas these nations lost their freedom only two years ago. Is the Bar of Limitation going to operate in case of India? Can hypocrisy and chicanery go further than that? It has been declared by Mr. Winston Churchill that India was never in their mind when they framed the Atlantic Charter and this declaration has removed the last vestige of India's faith in that extremely illusory and hypothetical entity called British justice and British fairness. For myself, I am grateful to the British Premier for this frank and outspoken declaration of his with regard to India for I know where I stand.

There has been no disappointment in my case as I was never under any delusion about it.

Now let us see what is happening today. America today has become the arsenal of democracy. Remember, Great Britain got India about the time she lost America. In the course of 150 years America has reached such a position that Britain is now going down on her knees before her and with folded palms beseeching America to save her from this plight. But what is the position of India in these 150 years? India with her vast man-power and inexhaustible resources is nowhere. There is not a single factory in this country for the manufacture of automobiles, tanks, ships or machine tools, locomotives etc., there has been no large-scale industrialisation here. See the difference. In 150 years America has developed so much that today she has the whip-hand over Great Britain and she can make Great Britain stand or fall as she likes. But what is the position of India? Britain's sordid selfishness and distrust of Indians have reduced India to a position of utter impotence and she today is helpless. Everyday we are threatened that the war is at our gates and that we shall be conquered, as if it will frighten my people out of their wits and they will fall flat on the British feet. If the war comes to the gates of India, will the white people be spared? My funeral will be their funeral. Let there be no mistake about that. If there is going to be a funeral, it will be a joint funeral of Indians and Britishers in this country. Therefore, we are prepared to shed every ounce of our blood for the defence of our country, for the defence of our motherland and in that process to defend Great Britain also in her plight. But she must for once in her life and in this extreme plight, shake off her hypocrisy. Let her in a straightforward manner tell us: "Look here, we are in this plight. If we can somehow get through this muddle, we will live as equal partners. We do not want domination nor do we want exploitation. We want mutual goodwill and co-operation as between self-respecting equals." I want it to be understood that India as a free country would be infinitely more helpful to Britain than India as a Dependency. Students of International history will bear me out when I say that all the greatest wars that had been waged in this world during the last 100 years have directly or indirectly some relation to the conquest and possession of India by Britain, which consists of one-fifth of the human race. With what face can you tell the world that Great Britain is prepared to sacrifice everything for restoring freedom to Czecho-Slovakia, Poland, Belgium, Yugoslavia and to such other countries as have been robbed of their freedom by Nazi aggression but not to India which has made Britain what she is in the world today? These pompous promises will delude nobody. In case of India there is the convenient bogey of communal differences, Indian princes etc. Do not place the bogey of minorities before the issue of freedom. Those things will not carry you very far because even if you make the Atlantic Charter applicable to us you can settle all these details if you like later on, as you did in connexion with the Treaty of Versailles after the last war. There was a Committee to go into all these details. All the impediments that Britain is now putting in the way of India's freedom are absolutely Britain's own creation. I submit that Britain has created a position in India which has made self-government absolutely impossible. Scientists will be able to tell you that there are so many things which are called incompatibles. It is impossible that water, oil and minerals:

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should form a homogeneous mass. Britain would not grant India freedom unless she is a united and homogeneous mass.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The Honourable Member has exhausted his time.

**Pandit Lakshmi Kanta Maitra:** In conclusion I say that it is derogatory to our national self-respect and national honour and prestige to make any request to the British Government who have declared that the Atlantic Charter is not applicable to us. Let her vindicate herself if she can before the Bar of world opinion and world conscience. For us, if we want freedom, we must stand on our own legs regardless of what a Churchill here or a Roosevelt there chooses to blurt out.

**Mr. Jamnadas M. Mehta:** Sir, I cannot escape the feeling that there is some degree of unreality about this debate. In the first instance, the chief culprit, the Right Honourable the Prime Minister of Great Britain, is not in the box here to answer the indictment against him. In the second place, we have the Government of India sitting here who are notorious as a subordinate branch of the Secretary of State. They admit that they are impotent to make any comment on Mr. Churchill's interpretation so far as the constitutional position of this country is concerned. Thirdly, we have rather an unpleasant spectacle of our countrymen who are promoted to the expanded Executive Council; compelled to be dumb and mute; they are in a very unenviable position. I deeply sympathise with them. Even if they want to, they cannot declare what is in their own minds. Such are trammels of office. Therefore, I was very much amused when I heard the speech of the Honourable the Leader of the House who tried to beguile a quarter of an hour of the House's time without telling us where exactly the Government of India were. The only impression he left on me was that the Government of India were in a bog, that they did not know what to do and, therefore, they should be sympathised with and not unduly criticised. That is really the impression which the Leader of the House gave to me in his speech. Being an intellectualist, he tried to read something which was not there and not to read something which was there. Somehow, he tried to make the best of a bad job. For these reasons I have a great deal of sympathy with the Government of India. I accept the promise of the Leader of the House that the one result of this debate will be that the proceedings will be communicated to the Secretary of State for India for what he might do with them. I am told that he simply throws them into his wastepaper basket which is so capacious that all this debate can go down into it without filling it at all. Anyway, what we are promised is that these proceedings will be communicated to the Secretary of State. Therefore, I shall try in the few minutes that are allotted to me to tell the House what I think on this question.

I think Mr. Churchill must be pronounced to be the most honest man. He did not want to play or to sport with the feelings of the Indian people by promising something or by leading us to believe that something was going to be given. Therefore, we must congratulate Mr. Churchill on his frankness, brutal though it is. The Charter itself is unequivocal. The reliance that has been placed on clause 3 is according to all known

rules of grammar quite justified. Article 3 although it is written in a foreign language to me, can only mean one thing; it is not capable of any other meaning. That one thing is that if the signatories to that Charter had their way in the future international relations all countries in the world will be free to live under a Government freely chosen by themselves. There is no equivocation about it. There is no doubt that it means what it says. It cannot mean anything else. Let any Professor of English in the Oxford University come to interpret it. It cannot mean anything except this that after the war is over this country will have the right to frame a constitution freely chosen by its representatives and that they will be free to live under that constitution. As the Leader of the House said, Article 3 is an unequivocal proclamation of self-determination for all races of all countries. That is borne out not by the interpretation which Mr. Attlee, the second in command to Mr. Churchill in the present Coalition Government in England has placed on it. I have got in my hand the quotation from Mr. Attlee's speech and I wish to read the relevant portion out of it. He says: "You will not find in the declaration which has been made on behalf of the Government of this country on the war any suggestion that the freedom and social security for which we fight should be denied to any of the races of mankind". This is Mr. Attlee, the second most authoritative person in the British Government today after the Prime Minister. He says that there is no reason to believe that the freedom and social security envisaged in the Atlantic Charter is to be limited to any race or country and to be denied to any of the races of mankind. After this, it was fruitless for the Leader of the House to attempt to read into that that Mr. Churchill might have meant one thing or Mr. Roosevelt might have meant another. It is the greatest violence on the English language, it is a violence on commonsense and an insult to the intelligence of anybody in this House or outside to say or to profess that Article 3 of the Atlantic Charter means anything else than complete freedom to all races and to all countries freely to choose the Government under which they are going to live.

**Sardar Sant Singh:** Where are the raw materials to come from?

**Mr. Jamnadas M. Mehta:** That is the fourth clause to which I shall come later on. In the meantime we should declare what the Government of India's duty is. Its duty is not merely to transmit these proceedings, but to tell the Government in England that Mr. Churchill's attempt to modify this Charter will not be anything but violence on the English language. They must tell the Government in England as clearly as they possibly can that the interpretation of the Prime Minister is wrong. While they are powerless to do anything else they must make it clear to the Prime Minister that he was not honouring his own signature. Mr. Churchill, as the Prime Minister of England, by the interpretation that he has placed on clause 3 of this Article, has been repudiating the signature of the British Government solemnly given on a most solemn occasion. In brief, Mr. Churchill is guilty of a gross breach of the plighted word of the British people. He was there as the Prime Minister of England. He put his signature on behalf of the British Government. The British Government are the representatives of the British people. Therefore, there can be no doubt of two things: the meaning of clause 3 of the Atlantic Charter and Mr. Churchill's most, what shall I say,

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imprudent repudiation, not to say anything worse, of the meaning, the plain meaning of this Atlantic Charter, clause 3. That is the position. We are thrown back to the declaration of August 1940.

Well, Sir, there seems to be some fatality with all important declarations relating to India that they seem to come only in the month of August. Mr. Montagu made his declaration in August 1917. His Excellency the Viceroy made his declaration of August 1940. While Mr. Montagu's declaration, though very limited, was at least not open to objection, Lord Linlithgow's declaration of August, 1940, on which we are thrown back by Mr. Churchill is a declaration not of freedom, but a declaration of bondage. What we wanted was freedom in our own country as other people are free in their own. The declaration of August, 1940, says, no freedom for India. Therefore it was no use Mr. Churchill telling us that we should refer for our rights not to the Atlantic Charter but to the declaration of August, 1940. The declaration of August, 1940 is a declaration of the intention of the British authorities in this country and outside to keep India in bondage as long as they can under any guise or disguise. The declaration of August, 1940, is the resurrection of the dead and exploded theory of trusteeship on which we were fed for forty years after 1857. For a number of years the British professed to be the trustees on our behalf. After the Nationalist agitation for many years that exploded theory of trusteeship was given up. It was unhappily not given up finally. It was having a rest cure and has come out again in a new form. That new form is that the British Government on account of its long connection has got certain obligations to certain interests and in the future constitution of India, it is these interests that will dominate and not the people of India. The August, 1940, declaration is the charter of bondage which gives power of veto to vested interests, to mediæval and feudal order, to communalism to thwart the progress of the country. That is the August declaration of 1940. The August, 1940 declaration says that the long British connection with India imposes certain obligations on the Britishers. I am sorry to say to my British friends here that the declaration of August, 1940, perpetuates their hold on me and does not give me any freedom. Their position is made secure, they are being given perpetual rights of being the top dogs of this country. The Princes, about whom the less I say the better, are the second vested interests, I have only one view about the Princes. If Lord Dalhousie had finished them off in 1858 by one stroke, we would not have been in the present unhappy position as we are today. If the princely order had been abolished by Lord Dalhousie and if he had not shed our blood in their favour, we would have had a clean slate to write all over India. Today, these 670, or whatever their number be, these Princes and Rulers and Chiefs, these Princelets and Chiefslets some of them not having a revenue of even Rs. 20 per annum are a real stumbling block in our progress. In Kathiawar there are Darbars who are Rulers of the sixth class and, when a Durbar is held at Rajkot by the Agent to the Governor General some of these Chiefs have not got enough money for travelling to Rajkot from their place of residence. They are called Chiefs. From their own homes they cannot afford the railway fare to go to Rajkot to attend the Darbar. Such are some of the members of the Princely order. One of them borrowed £1 from me in England in 1930 which he has not repaid.

**Sir Cowasji Jehangir:** Are we not all suffering from such absent mindedness?

**Mr. Jamnadas M. Mehta:** Yes, but the Princes should not. If this was carrying interest at the rate of six per cent., today I should be entitled to get £3 from him in spite of the rules of *damduput*. I am not in the habit of charging interest.

**The Honourable Sir H. P. Mody:** What did he borrow it for?

**Mr. Jamnadas M. Mehta:** For going to the theatre. I do not wish to name him. He holds a fairly prominent position in the Indian Princely order today. What I want to say is that this August declaration of 1940 preserves their autocratic rights over the people and their subservience to British rule. Again, by this declaration the Viceroy has given an eternal veto to the so-called minorities over the progress of this country and he has carried it out today in the expansion of the Executive Council. And what is Mr. Attlee's later statement about it? He said:

"We the Labour Party have always been conscious of the wrongs done by the white races to races with darker skins."

I will request the white races in this House to remember it. I say in all friendliness and in all humility that they should realise that they have done serious wrongs to the darker races. Let them not be a party to the perpetuation of these wrongs any further. These are the words of Mr. Attlee, not of Pandit Maitra or anyone else.

"We have been glad to see how with the passing of years the old conception of colonies as places inhabited by inferior people whose function was only to serve and produce wealth for the benefit of other people has made way for juster and nobler ideas."

I ask you whether after the interpretation of the Prime Minister of what the Atlantic Charter means Mr. Attlee has got any place in the British Government. Mr. Churchill has given an interpretation which is a slap in the face of Mr. Attlee, to the whole of the Labour Party and to the majority of the British people who, I have no doubt, share the views of Mr. Attlee. But today their wishes are repudiated by Mr. Winston Churchill in an unequivocal manner.

There are other clauses in this Charter about which there is not much to be said. One part says:

"They desire to see no territorial changes that do not accord with the freely expressed wishes of the people concerned."

But they want to maintain the territorial changes which they have made. The first clause says that their countries seek no aggrandisement, territorial or otherwise. Sir, for the English people to say that they seek no territorial aggrandisement is rather an irony. In the last war they did not want any territory, but still they got two million square miles of land which did not belong to them in 1914. Just as India is supposed to be an absent-minded possession of the British people, so also in the last war without any territorial ambitions they got two million square miles of territory which did not belong to them. And today they have got, whether they want it or not, the whole of Abyssinia and neighbouring lands without any territorial ambitions. This poor Emperor of

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Abyssinia after the Italian conquest went to England. There was not one soul to do him honour; not one Minister saw him. He was kept waiting at the doors of the League of Nations and allowed to enter with great difficulty. Therefore, I appeal to my British friends here not to read any wider into Haile Selassie's return. It is the Britishers who is there for good or for evil,—I hope it will be for good. But it is today a possession of the British and of no one else. Therefore, there is no land to win. The Britishers in their absent mindedness would have acquired more land but there is no land left to win.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The Honourable Member's time is up.

**Mr. Jamnadas M. Mehta:** Very well, Sir; I will wind up in two minutes with your permission.

So there is no merit in Article I at all. Article II is really a corollary of Article I and has no meaning. Article III is, according to the clearest meaning of the English language, an assurance to the people of India that they would have a free Government freely chosen by them under which they should live. That is now repudiated. Article IV assures to the people of the world free access to the raw materials. If the Burma Agreement were discussed today we would have seen what raw materials will be freely accessible to the Indians. While Britain is using Indian soldiers in various theatres of war, while these soldiers are freely shedding their blood for the liberation of other countries, it is somewhat of a cruel irony that the Englishman should sit here and think that the Indian soldier who liberates other lands deserves to remain a slave. This cruel irony must appeal to the English people because essentially, whatever may be British Imperialism, it is tempered with democracy. I do not agree with those who compare Hitler with British Imperialism. For me Hitler remains an enemy of the civilisation of the world, but the Britishers should be as far away from him as they can. They are too near to him today, literally as well as metaphorically. They should be far away from him, but they are not; they are reluctant to go away from him where India is concerned. Therefore, my appeal to the British Members of this House is, lay your hands on your hearts; look at the blood of the Indians which is being shed on the fields of Syria and Iraq, Iran, Abyssinia and Tobruk to keep away the enemy; let them realise, if their tribute to the Indian soldier is honest and if there is no mental reservation, the wretched condition of the Indian people. Mr. Churchill should be told in the clearest manner possible by them even more than by us that the British name is being tarnished by his interpretation. If Hitler's word cannot be trusted according to Mr. Eden, can the word of the British Premier be trusted after his signature of the Atlantic Charter and his repudiation thereof? It cannot be.

**Mr. J. D. Boyle:** Sir, I should like to start, if I may, by paying a tribute to the first formal and set speech we have yet heard from our old and very honoured friend here, the present Leader of the House. I pay a tribute with certain other feelings in my heart as well because he has made my position in speaking extremely difficult. He has cut in at an early stage,

and I daresay quite rightly, and has used a great number of the arguments that I had carefully prepared myself. I must refrain, in the short time at my disposal, as I know there are other Members who are going to speak, from being led into bye-paths that have attracted so many other Members of the House. It was quite unbelievable, the number of subjects that have been debated at great length today that had little, if any, reference to the Atlantic Charter; and, as usual, a spate of wrong statements were made *en passant*. I may refer to one recent one to indicate what I mean, by saying that my Honourable friend, Mr. Jamnadas Mehta, referred in rather slighting terms to Haile Selassie who was for a considerable period a guest of His Majesty's Government and was not waiting on anybody.

**Mr. Jamnadas M. Mehta:** He was a guest in a private gentleman's house.

**Mr. J. D. Boyle:** The Honourable Member has had 20 minutes already.

This Resolution recommends that immediate steps should be taken to include India within the scope of the Atlantic Charter and the Leader of the House has already dealt with the question of the possibility of the word 'immediate'. It is obviously true that not even a Resolution of this House can produce freedom for Poland but only a successful conclusion of the war, and that, therefore, that word is inappropriate. But my object in standing up is to point out that the whole of the Resolution is inappropriate and inappropriate in the greatest degree.

The argument is that India has been specifically excluded from the purview of the Atlantic Charter. The Lord Privy Seal is quoted, and correctly, as having said that that Charter applied to all people, all races, all creeds and so forth, and the argument is that the Prime Minister subsequently and specifically excluded India from the scope of that Atlantic Charter. Now, Sir, without wishing to cover any of the points which my Honourable friend, Mr. Aney, has made, I must make this position clear. Articles 1 and 2 and 4 to 8 of the Atlantic Charter are general articles relating to labour welfare and the question of peace generally, abandoning of the use of force and so forth, and as Mr. Aney has quite rightly said the item which has created interest in India is Article 3. Now, that Article has been read and quoted several times in the course of this debate and so I won't re-read it but I would ask Honourable Members to take that particular Article and to examine it very carefully in conjunction with the similar general articles announced in August, 1940, by His Majesty's Government as to the future of India. What is quite clear is that an exactly parallel declaration to that which is contained in Article 3 of the Atlantic Charter is contained in His Majesty's Government's Declaration of 1940 as to the future of India, and, therefore, it was perfectly true, as the Secretary of State said, that there was no new principle in the Atlantic Charter in regard to its application to India. The truth really is that far from the Atlantic Charter not applying to India, India already had that exact Article given to it nearly 12 months before the same Article was given to the world in the form of the Atlantic Charter. There is no question whatsoever of whether the Charter applies to India or whether it does not apply to India. India had her Charter 12 months before the rest of the world.

I must make one brief reference to Sardar Sant Singh. He made certain observations. Among others he referred to a meeting with some lawyer friends of his in Lyallpur, and I would say that it is such meetings which



[Mr. J. D. Boyle.]

have caused the whole of this confusion on this otherwise easy point. He gave us to understand at one stage that the British Empire was being frittered away in large quantities to America in order to purchase her support. The very smallest application of his mind to the facts and a little less application to foreign broadcasts—because, I would point out, that the first time that statement was made in India it was made from the German Broadcasting Station—would have led the Honourable Member to realize that no greater nonsense could possibly have been spoken. I do not think it is worthy of him to produce such a statement in this House, nor do I think it behoves his dignity to make such disgraceful references, as he has made, to President Roosevelt.

**Sardar Sant Singh:** Will you refute them with facts and figures?

**Mr. J. D. Boyle:** I am not giving way. Sir, that is all I have to say. I have just to repeat once more that there is no question of India being left outside the Atlantic Charter, that a Charter on identical terms was given 12 months before this Charter was produced and there is no question of India being brought in or left out.

**Sir Cowasji Jehangir:** Sir, I will begin by saying that every Indian must sympathise with those amongst us who have great aspirations for self-Government in their own country. This question of self-Government for India has been agitated ever since the National Congress was ten years old, and, therefore, when I heard some of my Honourable friends speak in language which must have been considered exaggerated I could understand their feelings. But whatever their sentiments may be, howsoever earnest they may be in their desire for self-government, however prepared they may be for self-sacrifice, I would beg of my own countrymen to face realities first. We can cry for the moon but we shall not get it. We have to make serious endeavours to face realities and then fight for what we want. Mere wishful thinking is not going to bring us any nearer the goal of our achievement than the sort of language that we have heard to-day.

Now, Mr. Deputy President, I will just echo one sentiment that fell from the lips of my friend, Mr. Boyle, but I will put it in a different way. I will say about the Leader of the House that although he may have changed his seat from my right to my extreme left, or shall I say been elevated from my right to my extreme left, he has lost none of his logic nor his powers of putting his point very clearly. My friends on my right—his followers of last year—may not now agree with him but I am sure they will all agree that he has lost none of his powers of exposition or his logical method of examining a point and placing it before the House for their consideration.

**Qazi Mohammad Ahmad Kazmi:** It was never appreciated before.

**Sir Cowasji Jehangir:** Now, Sir, I would like to examine this Charter a little more closely. I have always been of the belief ever since this agitation arose that it was rather a storm in a teapot. Nobody would ever agree with me nor will the large majority of my friends here. . . .

**Sardar Sant Singh:** Nor the country.

**Sir Cowasji Jehangir:** But I will try to explain shortly what I mean. The first three lines of Article III are relevant.

"They (*that is, President Roosevelt and Mr. Churchill*) respect the right of all peoples to choose the form of government under which they will live."

When we read that—and I ask my Honourable friends here when they read that the very first day, did they believe that Mr. Churchill was giving an undertaking to India that it should have independence if it so desired? Did they come to that conclusion? I did not. Did it convey that to their minds? It did not convey that to my mind. . .

**Sardar Sant Singh:** Not in that sense.

**Sir Cowasji Jehangir:** That is exactly what you have stated, what my Honourable friend, Mr. Jamnadas Mehta, has stated—that Mr. Churchill was guaranteeing by those three lines absolute independence for India, if India chose to take it, after the war. I cannot for one minute believe that the Prime Minister of England had anything of that sort in his mind, even if those three lines applied to India. . . .

**An Honourable Member:** What is your reason for not believing that?

**Sir Cowasji Jehangir:** Because I face realities and I have commonsense. That is why. Now, unless you believe that those three lines conveyed to you the promise that, if you chose you could have independence for India, then you believed that you were getting something by those three lines. I did not believe it, nor did the majority of my countrymen believe it. The last three lines of that article cannot apply to us and are irrelevant. A great deal has been said about Article IV. It applied to us even before the Charter—it always did apply to us. It guarantees "to further the enjoyment by all states, great or small, victor or vanquished, of access on equal terms to trade and so on. . . ."

**Mr. Govind V. Deshmukh:** If Article 3 of the Charter does not apply, why should Article 4 be given effect to? It is too shameful and too selfish to do so.

**Sir Cowasji Jehangir:** I do not say it applies; I say that it is in existence today. There is nothing new about it as far as we are concerned. If that is the position, then why this huge outcry when the Prime Minister made his statement in the House of Commons? Let us see what that statement is. Let us examine it. "The Joint Declaration does not qualify in any way the various statements of policy which have been made from time to time. . . .". I have heard it said that Mr. Churchill has declared that the Charter does not apply to India. He has not said that. He has said that the Charter does not qualify anything that has been said in the past. Now let us see what it is that it does not qualify. It has not qualified "in any way the various statements of policy which have been made from time to time about the development of constitutional government in India, Burma and other parts of the British Empire." Then he continues:

"We have pledged by the declaration of August, 1940, to help India to obtain free and equal partnership in the British Commonwealth of Races. . . ."

[Sir Cowasji Jehangir.]

If he had stopped there, I feel confident that the vast majority of my countrymen would have accepted that statement. But he went further, as did the statement of August, 1940. He says:

"Subject, of course,—(*these are the words to which the greatest objection has been taken throughout India*) to the fulfilment of the obligations arising from our long connection with India . . . ."

What does that mean? It means, to a certain extent, the protection of my friends of the European Group. Now, so far as I am concerned I am not one of those who desire to kick them out of the country. I am grateful for what little they have done for India—it may be little, it may not be much: I also state with pride that we have done them very well during their long connection with India. It has been reciprocal; it may have been more for them and less for us; but I am prepared to state that there are very few Indians in India today who, in their heart of hearts, desire to kick them out, even if we get independence. If this reservation means this, then I for one would not object to it. Let us see the next reservation which is of the greatest importance:

"and our responsibilities to its many creeds, races and interests."

If those few lines had been left out of the declaration of August, 1940, I ask my friend behind me, Colonel Rahman—I ask my friend, Mr. Laljee, I ask other Muhammadans, what they would have thought of that statement. Mr. Jinnah has already expressed his opinion, as the leader of the Muhammadans in India. How would they have accepted it? What would they have said? We know—let me not add fuel to the fire—I do not desire to make things more plain than they are today to those who can see—I have kept my ears open—but I do beg of you not to drug your consciences. Without those words, no statement made by the British Government would have been acceptable to millions and millions of our people in India. . .

**Mr. Govind V. Deshmukh:** Sir Sikandar Hayat Khan himself did not want those restrictions.

**Sir Cowasji Jehangir:** I am not going into petty quarrels. I am talking of millions of people and of those who lead them. I state that without those words millions and millions of our countrymen would have felt uneasy and unhappy. They may have been tempted to use much stronger language than we have been listening to today in this House. Let us face realities whatever they may be. I know my friend, Mr. Jamnadas Mehta, called it a communal statement. I know he said it was encouraging minorities and factions and it was helping disunity in this country. It may be so; but it is a reality. Unless you get these vast minorities, these millions of people to feel contented, to have some confidence, you are not going to help self-government in this country, and unless you make them feel—you the majority, my friend, Mr. Jamnadas Mehta, you the intelligentsia, you the Hindus who lead your countrymen. . . .

**Mr. Jamnadas M. Mehta:** This is Amery speaking!

**Sir Cowasji Jehangir:** Then Mr. Amery was right and you wrong. Unless, as I say, these minorities feel confidence in you, you will not get self-government. Therefore let us face realities. Let us not blind ourselves. I say these words were essential—not for me—I am an insignificant minority;

But they were essential to satisfy millions of people in this country, and it is up to you, the Hindu Leaders in India, those who have influence, those who have power, those whose voice counts amongst their people, to make them feel and make them realise that the minorities, of millions of people must be inspired with that confidence which is required.

**An Honourable Member:** Veto!

**Sir Cawasji Jehangir:** I do not say that the power of veto should be given. I do not say so. No. If there is sweet reasonableness on all sides, that fear of veto will disappear, that imaginary fear of veto will disappear. . .

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Order, order: it is 4 p.m. now 4 o'clock; we must take up the Adjournment Motion.

### MOTION FOR ADJOURNMENT.

DISCONTENT AMONG DETENUS AT THE DEOLI DETENTION CAMP.

**Mr. N. M. Joshi (Nominated Non-Official):** Mr. Deputy President, I move:

"That the Assembly do now adjourn."

Sir, when I sent notice of this adjournment motion, I had only learnt that there was grave discontent among the detenus in the detention camp at Deoli, and there was also an apprehension in my mind that this discontent might result in some serious action. But, Sir, soon afterwards, on Monday morning, I learnt from newspapers and from a *communiqué* issued by the Government of India that 208 of the detenus in the Deoli Camp had gone on hunger strike in order to secure redress of their grievances. Sir, it is on account of this hunger strike that I wish to move this adjournment motion in order that the attention of the House may be drawn to the grievances of the detenus at Deoli and in order that our discussion here may result in a satisfactory settlement of the hunger-strike, so that the detenus may have their grievances redressed and we may all be free from the anxiety which that hunger-strike is causing us. Sir, you will remember that in November last I moved a Resolution in this Legislature asking the Government of India to appoint a Committee to investigate the conditions under which the detenus were living in Indian prisons. That Resolution was again discussed in the month of February. Unfortunately, Sir, the Government of India did not accept my suggestion. If they had done so, perhaps this hunger strike which is facing us all today could have been avoided. In the meanwhile, the detenus in the Deoli Camp formulated the grievances under which they were suffering, and they placed these grievances before the Government of India through the Superintendent of the Detention Camp at Deoli. I think they made a representation to the Government of India either in the month of April or in the month of May.

Having heard about these grievances through the newspapers, Sir, I decided that I should pay a visit to Deoli and see with my own eyes their actual condition and also learn from the detenus themselves what their grievances were. The Government of India were very kind to give me permission to go to Deoli and spend some time in examining the

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situation there. I went there in the month of July. I am very grateful to the Government of India for having given me permission. I am very grateful to the Superintendent, Major Craster, for having given me an opportunity to see the conditions in Deoli. I had an opportunity of hearing the detenus themselves about their grievances. After having returned to Bombay, when I had time, I wrote out my impressions and suggestions regarding the conditions in Deoli and sent them to the newspapers for publicity. Sir, when the detenus had made representations to the Government of India they naturally expected that the Government of India would give prompt attention to their grievances. Unfortunately, Sir, a good deal of time has been allowed to elapse, and their grievances still remain unredressed. I am not suggesting for a moment that the Government of India have been entirely sleeping in the meanwhile. Some of their grievances were redressed to some extent, at least partially; but, Sir, the important grievances of the detenus remained unredressed, hence, the hunger strike. Now, the House will naturally like to know what the grievances of the detenus at Deoli are. Their first and most fundamental grievance is that they should be repatriated to their own provinces. They do not like to be detained at Deoli. Sir, Deoli is not exactly a health resort. We must remember that it is in Rajputana. The Government of India have kept in detention Italians and Germans in such nice places as Deolali, Ahmednagar and so on, and some of them are kept in the cool air of the Himalayas. Therefore, Sir, if the detenus from Bombay and Madras complain about the weather or climatic conditions in Deoli, we cannot blame them.

Then, Sir, the second ground on which they ask for being sent back to their own provinces is that it is difficult for their relatives and friends to go and meet them at Deoli. Deoli is very distant from Madras, even distant from Bombay, Bengal, Punjab and Peshawar and other places. Sir, it is on these two grounds they asked that they should be sent back to their own provinces. Their second grievance is that there should be no differentiation among the detenus themselves. At present the detenus are divided into two divisions,—Division A and Division B. Detenus in Division A are being given somewhat better treatment than detenus in Division B. These detenus generally belong to the rank of politicians and generally speaking belonging to one group. They have worked together, they have lived together, and they do not like that some of them should be classed as Division A detenus and others as Division B detenus. They would like to live together as equals and under the same conditions. I feel, Sir, that this grievance of theirs is a very reasonable one and should be remedied by the Government.

Then, Sir, the detenus have a third and important grievance, and that is, that as they have been put in jail by the Government of India, not because they have committed any offence, but because the Government of India consider that their freedom at this time, in the opinion of the Government of India, is against the interests of this country. Sir, these people are not tried and found guilty. Therefore, their demand is, whether there is any justification for detaining them in jail or not, Government must take upon themselves the responsibility of maintaining their families during their absence in prison.

Then, Sir, the detenus also suggest that they should be paid an adequate allowance when they are in jail. Well, Sir, this Deoli camp is not a new camp. The Government of India first established it in the year 1932 to keep there some detenus. At that time the Government of India used to pay Re. 1 per day with some other allowances per month for certain amenities. Sir, prices now are much higher than in 1932, and at present detenus in Deoli belonging to Division A are paid twelve annas a day and detenus in Division B nine annas a day. If therefore they ask that their allowance for food and other matters should be increased, they are not making a very exorbitant demand. I do not wish to go into the detailed grievances, the time at my disposal is very short. I feel, Sir, that the grievances of the detenus have remained substantially unredressed, and the detenus, most of them, have now gone on hunger strike. At least 208 of them have gone on hunger strike. I do not know what is the total strength of the detenus in Deoli, but when I visited the camp the total number of detenus was 215.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): Since when have they gone on hunger-strike?

**Mr. N. M. Joshi:** So far as I know, the first announcement was made by the Government of India on the 26th. I do not know when the detenus actually went on strike, perhaps it was on the 22nd or 23rd. It is the duty of this Legislature to consider this subject, to examine whether the grievances of the detenus are reasonable or not, and then try to find a way to end this unhappy situation. The Government of India in their communiqué state that they have been examining the grievances of the detenus, that they have to consult the Provincial Governments, and, therefore, they may take some time before they come to conclusions. I would like the Government to realise, we all know that the wheels of the Government of India move very slow, but the minds of the detenus cannot move so slowly. They think fast. Therefore, the subject from the point of view of the detenus is of great importance, and a solution must be found very promptly. It may be said, and the Government of India have stated in their communiqué . . .

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

that there is no justification for the hunger strike as they themselves were considering the subject. But the detenus have waited for four or five months. I am not suggesting that they should not have waited a little longer, but there is a limit to the patience of people who have to suffer grievances. Then the Government of India say that as they have gone on strike no consideration can be given to their grievances during their hunger strike. I have got some experience of industrial strikes.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

**Mr. N. M. Joshi:** The grievances are not considered till the workers go on strike. If they go on strike, then the Government and the employers will say, that as they had gone on strike we cannot give any consideration to your grievances during the strike. I would suggest to

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the Government of India and to the Members of the Legislature, let them not stand on considerations of prestige. Let them remember that discipline is not best maintained by refusing to consider the grievances of people who have got grievances. Let them, therefore, give up their wrong notions of hunger strikes or any other strikes being subversive to discipline. What we have to consider is whether the grievances are real or not. If they are real, they must be removed, and I hope that the Government of India and this Legislature will consider this subject seriously and sympathetically and enable these people who have gone on hunger strike to end their strike.

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

**Mr. N. M. Joshi:** I hope that the House will give sympathetic consideration to the proposal which I have made.

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

"That the Assembly do now adjourn."

**Lieut.-Colonel Sir Henry Gidney** (Nominated Non-Official): I have always paid the greatest attention to anything which has emanated from my Honourable friend, Mr. Joshi, and it is for this reason that I very carefully read his report on his visit to the Deoli Detenu Camp. I can assure him that I have read it with care and not without sympathy.

What are the complaints that he has made out in his report? To my mind they consisted of a series of impressions, generalisations, expressions, and in some parts depressions. Among the many points he demanded, one struck me as being most original, and I should think, very expressive, and that was, he suggested that the detenus in Deoli should be provided with a radio. I was almost tempted to ask whether he would admit the necessity of ice creams being served up hot to the detenus. As a matter of fact, I was not very impressed with the report of Mr. Joshi. He went there for a reason, to satisfy the agitation in the press and to satisfy himself. It meant a lot of trouble and inconvenience I know, and he deserves very great credit for what he did. But, after all, what was done? The prisoners made statements to him. He collected them and recorded them in a report, and submitted them to Government for redress. He complains bitterly that the detenus were kept in detention without trial. I have no concern whatever with that. That relates to the policy of the Government, and the Honourable the Home Member will no doubt reply to that. But the differentiation between A and B classes must have been done with some object. Mr. Joshi in one part of his report also advocated that socialistic literature should be supplied.

**Mr. N. M. Joshi:** Why not?

**Lieut.-Colonel Sir Henry Gidney:** Considering that those people are more or less communists in their ideas and propaganda, I was rather surprised to see such a recommendation by him. As regards the health of the prisoners, he had not much to say. He got out of it by saying,

not being a doctor he could not say much. As regards food, he had not very much to complain about. He complained that they were divided into two categories. As to why they should be divided, I shall await an answer from the Honourable the Home Member. Then he referred to the two sets of allowances, 12 annas and 8 or 9 annas per day. Deoli is, I know, far away from the Railway and I know that comforts are got with a great deal of inconvenience and trouble. There is, however one point my Honourable friend made which claims my sympathy, and that is, that Deoli is situated at a place very far removed from the home centres of these detenus, and that their families find it very difficult if they wish to visit the detenus.

**An Honourable Member:** Is it on a railway station?

**Mr. N. M. Joshi:** Sixty miles away from any railway station.

**Lieut.-Colonel Sir Henry Gidney:** That certainly is one of the points that deserves consideration. But considering that Mr. Joshi went there with the consent of the Government, considering he made his report to the Government and he received an assurance that these grievances were being enquired into, I cannot see any reason, except it be to hang the sword of Damocles over the head of the Government, why the detenus should have gone on hunger-strike. It seems to be the practice, a pastime in India for any one who objects to a Government order, to go on strike and I feel the Government has at times been stampeded in bending to such gestures of discontent in jails and political prisoners in jail and have in a measure encouraged such practices. But why should Mr. Joshi bring it before this House as an adjournment motion at a time when he knew the grievances of the detenus were being looked into and I believe, they are on the point of being redressed by the Government of India? I ask why have the detenus, so soon after Mr. Joshi's visit, have gone on hunger strike, unless it be to force the hands of the Government. Mr. Joshi by this motion of adjournment, in a measure, is helping them to force the hands of Government. In my opinion this is the motive behind this adjournment motion. I sympathise in a measure with these misguided people. They are far removed from their homes and there must be discomforts and inconveniences. They must have all the amenities that it is possible to give them but I do not see why Mr. Joshi should take advantage of this House and advocate on the floor of this House a course which he had already placed before Government and which I believe Government are on the eve of redressing. I do not support this motion at all.

**Mr. Amarendra Nath Chattopadhyaya** (Burdwan Division: Non-Muhammadan Rural): I congratulate our friend, Mr. Joshi, on being allowed to go and see for himself the condition of the detenus in Deoli. He is a man who would never judge anything without knowing the details and whatever has come out of his inspection should be taken to be true. He is one who looks at things from the real perspective and this House can rely upon his report which clearly shows item by item the grievances which these Deoli Camp detenus are suffering from. This is an old tale. Since 1915, we have been hearing of these detenus who were sent to jail without any trial, having no evidence against them, either documentary



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or eye witnesses, except evidence brought by informers paid for the service. And people who lose their liberty in this way should not be treated as common prisoners. What Mr. Joshi has asked for is pure and simple fairness and justice. Government must look to the grievances of these people with sympathy. These men belong generally to the middle class intelligentsia. They have a status of their own. They have got acquired habits of their own and they are not supplied with all the amenities of life to which they are accustomed and particularly when they are confined in a place which is far from their homes, where their own people cannot go and have an interview with them. It is, therefore, incumbent upon Government who are responsible for keeping them there to look after their comforts without which it will be impossible for them to go on from month to month, from year to year, suffering this incarceration without knowing why they are incarcerated. There are 120 communists in this Deoli camp. The British are now allies of Soviet Russia and are fighting shoulder to shoulder to protect their country against Nazism and these communists are only intellectual communists. They have only read from books what communism means. They have liked the idea of communism. It is therefore necessary that Government of India should think of releasing these 120 prisoners at once. They have no reason, no justification, to keep these communist prisoners confined at the present moment when really the Soviet Government has become the ally of the British Government. For the rest, the grievances show that they are not impossible of being redressed. They want to go back to their own provinces. It is not an unreasonable demand. They are not habituated to this sort of domicile. They want to go to their own places where they can live more comfortably and with better health. They can have their own food according to their choice, in their own districts or in their own provinces and it is not a large order to ask Government to do it in as short a time as possible. It does not take a very long time to decide whether they should be repatriated or not.

There is another grievance about the differentiation in the matter of division. Either make them class I or class II. Let there not be two divisions as has been done. They have been incarcerated on the same grounds, for the same reasons. They belong to the same class of people and there is no reason why this differentiation should be kept up. They do not want it. If they do not want it, why should Government insist on keeping up this differentiation, which can be redressed at a moment's consideration. Mr. Joshi has pleaded for family allowance for people who have been taken away from their families which depend upon these men for maintaining the families. These families have been deprived of the bread earning members or the prospective bread earning members for no cause known to them and the parents of these men do not know why their sons have been taken away. A family allowance was allowed formerly and I do not know why it should not be allowed now. It is a reasonable demand and if Government have really some sympathy with the families which have been deprived of the bread-earning members, they ought to fix up a family allowance for them. As regards the personal allowance, without paying them money you can buy them the articles which they want. If the Government cannot pay them money they can buy the things, without which these men will feel very uncomfortable.

Then, Sir, the pinpricks which these men suffer from are many and it is, therefore, natural for them to go on hunger strike to bring the matter to a head and to draw the attention of the Government and the people to have their grievances redressed. Mr. Joshi has brought up this adjournment motion only to draw the attention of the Government and the legislators to the situation that has been created by neglecting to redress the grievances of these people which have been long standing. I believe the Honourable the Home Member who is in charge of this Deoli camp will be pleased to form a committee here to go and see for themselves the real condition of these people in Deoli, so that they might justify if it is required from time to time as to be familiar with the real condition of the detenus and relate their grievances according to their notions. Government have been carrying on this system of confining the patriotic and young educated men for years without any trial and without any evidence and depriving them of their future prospects and depriving their families of the future prosperity. If Government had real evidence against them, the public could not have any grievance against the Government. But here the Government are in the wrong. They are putting innocent people in confinement whose grievances are ventilated in the newspapers by public men. It is for the Government to appease them. It is for the Government to explain the position. Now that a person like Mr. Joshi, who has been there and who has taken it upon himself to ventilate their grievances, it should be the duty of the Government to take up this matter in right earnest and try to redress their grievances without waiting for the withdrawal of the hunger strike. The hunger strike is there. We know that the Government did allow a person to die of hunger strike in the Punjab. For 64 days he remained without food and died in the jail. Now, this is a question of 200 people. It is not for the Government to sit tight and ask these detenus to go on continuing this hunger strike so that they may die in great numbers. That will be quite inhuman. If there is any human sympathy in this Government, it should not sit over this matter but should at once take steps to redress their grievances. With these words I support the motion.

**Mr. Govind V. Deshmukh** (Nagpur Division : Non-Muhammadan): Sir, I rise to support this motion. But before I give my reasons for supporting it, I would like to deal with some of the arguments advanced by Colonel Gidney against this motion. He spoke against this adjournment motion and said how silly it was of these detenus to go on hunger strike, because the matter is being inquired into. He fails to see that Mr. Joshi sent the report to which he has referred in his speech to the Government in the month of August or September. It is more than a month and a half that the Government got this report. We know that it is the habit of this Government to move slowly. Not only did this report bring these grievances to the notice of the Government, but my friend had already moved a Resolution regarding the grievances of the detenus in the last Session. Now, if the Government are still inquiring into the matter but cannot say when they will be able to come to any definite conclusion, then it is all right for my friend, Colonel Gidney, to say that the matters are being inquired into and you should rest quiet but not for those who take interest in their country. I am quite certain that when matters affecting the Indian Medical Service as a whole or his own community as a whole are being placed before the Government and if the Government or we said

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that the matter is being inquired into, he would have become wild and red with anger. He would have said: "Well, gentlemen, you do not realise under what pressure we are being worked, how we are being ground down. We need immediate redress". What was there to prevent the Government, if they so wished, to redress the grievances from the time the last Resolution was passed and the report was handed over to them? Did they make any inquiry after the last Resolution was passed to do anything? Therefore, it is the conduct of this Government which is responsible for this hunger-strike. This Government ought to be censured because it is really the cause of this hunger strike. It is all right for my friend to say that there is no cause for them to go on hunger strike.

Now, Sir, I come to another point. These detenus have been put into prison and they have been deprived of their freedom because the Government thought that they were a danger either to them or to this country or to His Majesty's Government. The Home Member will say that they were a danger to everybody. Supposing you treat them properly by giving them good food and other amenities of life. I will confine myself only to this. Supposing you treat them as nicely as you are treating the prisoners of war who were your avowed enemies and who had done overt acts and who were ready to take the life of such persons who were fighting against them, whether they belonged to the civil population or the army, can you tell me that by doing this *i.e.*, giving them better food and other amenities the danger would be increased? Even if they are put in the same place and under the same guard, can you say that the danger will be increased? Why should they not be repatriated? Everybody knows that even in the case of the ordinary criminals it is not merely the physical amenities which count but it is the psychological effect of the treatment which tells on the person who has been deprived of his liberty. Look at it from that point of view. If the danger is not going to be increased, then why not do it, give them better treatment, remove their grievances? It may be that the Provincial Governments have made distinctions such as A, B, etc., amongst them and they may have their own reasons. But supposing you remove the distinctions, would the danger to this Government increase even when the restraints are the same, even when the persons are kept in the same place and when your powers of supervision are the same? It is very difficult to imagine that if these persons are given these amenities of life, if they are given good food and if their relatives are allowed more opportunities to see them, any more danger would arise. It is hardly reasonable for anybody to urge that these persons should not be given all these things because the danger to this Empire will increase. The question of money really ought not to count with the Government because they are spending so much money on war and when they are spending so much money to carry on a propaganda to win over the people in the country to their side. Let it not be forgotten that there is a good deal to be said in having public opinion on one's own side. The Government should look at this question from that point of view, and as a matter of fact when they have really brought into existence many resources of carrying on propaganda with that object. Well, if you wish to have public sympathy on your side, you can certainly not do anything better than giving better treatment to these persons if not release them.

You must have known about the conference in Poona and the demands made at that conference that these people should be liberated. Even if you are not prepared to go to that extent, what prevents you from giving them better treatment, if you believe in the strength of words? For instance, you say, let there be prayer on such and such a date for the success of the British Empire. You believe in prayers—in the strength of words. When a certain number of people raise their voice to do a certain thing, you believe victory will be achieved. That is your point of view. If you win the hearts of these people, they will also pray for the success of the British arms. You have got an ally, Russia, whom for reasons best known to you you once disowned. You used to say all sorts of things against Russia, against their social, economic and political doctrines. At that time the Russian Army was treated as a third rate power. But now seeing the magnificent fight they are putting up for themselves and you, you are eulogising them to the skies. When you are the ally of a country like Russia whose professed doctrine is communism, what prevents you from releasing these people who according to you profess the same principles and same doctrines. As a matter of fact I read in the newspapers that a certain sum of money had been sent as Indian Soviet Fund to the Russian Ambassador. This sum is to be presented to Russia. If you believe in having public opinion on your side if you believe in having a considerable mass of opinion on your side, if you believe that it will promote your cause, then what other way there is to win Indian opinion as well as the opinion of these people to strengthen your cause and to win your cause? If prayers, for one's welfare have good effects, then if their hearts are lacerated if you do not win their hearts, then their prayers and the result therefrom may go against you. If they harbour "grievance" against you, then their prayers will go against you. Then why follow the wrong path? I think considered from every point of view, it is desirable to meet the situation and act immediately and promptly in such a manner that detenus would get the treatment that may induce them to give up the hunger strike. Sir, I support the adjournment motion.

**Qazi Muhammad Ahmad Kazmi** (Meerut Division : Non-Muhammadian Rural): Mr. President, the issue that has been raised by the motion of Mr. Joshi is a very limited one. In the previous Session we had a full discussion about the detenus. Reasons were given as to why they were detained in Deoli. It was said by the Government that they were kept in without trial because it would be dangerous to lead evidence against them and it would not be in the public interest to have them under trial. But whatever may be the crime, so far as I know no violence has been attributed to those who are detained in Deoli. It was more or less some alleged communication with Russia or a deep study of communist literature which was responsible for their detention in Deoli. As has been said by many speakers before the views of Government themselves have now changed and probably they do not consider communist literature to be as bad as they thought before because they probably think that communist literature is better than the literature of Germany and it is a literature which can absorb German literature and finish Hitlerism. As has been said before, it will be very difficult to see the justification of keeping a body of men who are versed in literature which can absorb German literature and save British literature. But anyway even that point is not before the House today. I am sorry that one of my friends, though he supported

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all the demands of the detenus, wants to press upon the House that the only reason why this demand should not be conceded is the hunger strike to which detenus have resorted.

Now, so far as I understand, Mr. Joshi put in his motion at a time when there was no hunger strike or any report of hunger strike had reached this place. There might have been one. So the House has to consider not the position of the hunger strike nor the prestige of the House nor of the Government, because certain persons who were aggrieved and wanted to get redress for their grievances have resorted to hunger-strike. It is they who have suffered. Their demands have not been met. Probably few of the gentlemen on the Government Benches have got any idea of hunger strike. Probably they cannot have even a lunch strike. Even if they resort to lunch strike for one day, they will find the afternoon sitting quite tedious.

According to the Government *communiqué* itself the hunger strike has continued for the last four or five days. The punishment is only to them. If they do not want sufficiently long for this slow wheel of the Government of India to move, then they have to suffer starvation for a period of five or six days. Does that in any way come into consideration or weigh in any possible manner with any person who has got a balanced mind? My submission is this is an irrelevant consideration altogether. We have to look to the issue itself. Government say that Deoli is a far off place. Of course it is situated at a distance of 65 miles from any railway station. It is very difficult for relations and friends of detenus to reach that place. Though the allowance at that place is as much as twelve annas and eight annas, yet the price of things at that place are double the price prevailing anywhere else. When these difficulties are admitted and when it is remembered that Provincial Governments have got accommodation for thousands of prisoners, what is the reason for these persons to be detained in Deoli? Is it not possible to repatriate them to their own places where they have greater amenities of life?

Then again the question is of keeping them in separate classes. When these persons do not themselves want to live in separate classes I should like to know the reasons why they are kept in separate classes. They themselves protest against it and I have heard,—Mr. Joshi knows better of course,—that the two classes are so distinct that one class is not allowed to communicate in any possible way with the other class.

**The Honourable Sir Reginald Maxwell** (Home Member): They play games together for two hours daily.

**Qazi Muhammad Ahmad Kazmi:** Then this repatriation, so far as I understand, is one of the chief things they are demanding, because deprivation from the society of their own people is a very great trouble and a great grievance of these gentlemen.

Then again, I have been told that Government were pleased to allow friends of the detenus to send them books and other articles, but I have only just heard that some persons wanted to send some books or some

other articles to the detenus at Deoli and after applying to the Government of India they had permission to send them but they were told that it would be within the discretion of the Superintendent of the Deoli Camp to give them to the detenus or not; and in case they are not handed over to the detenus they would be retained by the Superintendent and not returned to the sender. I do not find any justification for this strange procedure. This means that if any person sends anything he will have a fine imposed upon him, and the Superintendent will have a right to things which belong to other people. Sir, instead of importing unnecessary heat into this debate, we should consider it in the spirit in which it has been brought by Mr. Joshi. Whatever be the crimes of these gentlemen we are not asking for a trial at this stage and we may have another Resolution for that purpose. But what we want today is only a redress of their grievances which have resulted in the hunger strike from which they are suffering; and things which can possibly be given them should be given to satisfy their demands. Sir, I support the motion.

**The Honourable Sir Reginald Marwell:** Sir, I will first give the House the latest information I have about the position at Deoli. I have a telegram, dated the 29th October stating that 214 prisoners are now on hunger strike. Their general health is satisfactory and none seriously ill. The hunger strike started on the 22nd October, that is, 48 socialists declared a hunger strike on the 22nd October and 160 communists on the 23rd. These are facts which were asked for during the debate.

Now, Sir, I have no doubt of the sincerity of Mr. Joshi's motion of adjournment but the House must remember that its reception of this adjournment motion will inevitably have some effect on the prisoners' attitude and the possibility of a prolonged strike. Had the allegation been that Government were neglecting the physical well-being of these prisoners, that they were suffering from lack of any necessities which persons in complete control and custody of Government were entitled to expect, then there might have been some reason for the House to censure Government for its handling of the whole affair and to demand explanations. But we shall find on going into the actual grievances of the prisoners that their demands are of a very different character. So far as demands connected with their physical well-being are concerned, these have been considered and a large number of them have been granted from time to time. It is not correct to say that these prisoners have made petitions without finding any notice taken of them. When they demanded an increase of dietary allowance it was increased, as Honourable Members know. When they asked for association with one another on the playing field that was granted,—that was in May last. Again, when they asked for an increased supply of shoes and clothing, that was sanctioned in April last. Again, mosquito nets, tooth-brushes, pillows, extra cooking utensils and one or two other improvements were given to them in May last. So it is not true to say that demands bearing on the physical well-being of these prisoners are not attended to.

Now, I will turn to the demands actually brought forward as grounds for the strike. The first demand is that they should be repatriated to their home provinces. I submit that that is not a demand for which any prisoner is entitled to go on hunger strike. That is a demand which practically amounts to saying that a prisoner can choose where he is going

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to be kept imprisoned. I cannot raise questions here as to the justification for the detention of any of these people; there is not time to go into such matters in the short space of time allotted for my reply. But we have to assume that there are reasons for keeping these persons in Government custody; and I maintain that if they are physically well looked after in that custody it is not for them to demand where they shall be kept by Government who have possession of their persons.

The next demand is that all security prisoners may be uniformly classified. Some questions were asked of me about that. I will only explain that that classification into two classes was adopted after consideration with all the representatives of the Home Departments of provinces in 1940; and it was generally agreed to have a common arrangement of that kind on its merits. It is not possible for the Central Government to suddenly alter a scheme of that kind without consulting other provinces as to whether it will fit in with their arrangements. Actually the reason adopted in our case is that among the persons detained at Deoli some are of definitely high status. They are well educated people, some with university degrees and some engaged in professional work before they were detained, whereas others range down to the lowest type of Sikh *kirti* agitator of the Punjab,—persons of the very lowest status. There is no real reason for giving to these people exactly similar treatment. That was the reason for which we adopted the classification. There are possibly other schemes which might have removed a feeling of inequality.

Another demand is that the daily allowances may be increased to Rs. 1/6/- a day from the present rates of 12 annas a day for first class and nine annas for second class prisoners. I will tell the House a little later, if there is time, how these allowances provide for their daily needs, but I will leave that for the moment. At any rate I think I should be able to satisfy the House that their physical well-being does not require a dietary allowance of Rs. 1/6/- per day per prisoner.

Then they demand a personal allowance of Rs. 32 a month each. As explained in Mr. Joshi's own report which has been published, even the former Bengal detenus got only Rs. 11 a month; but these people consider themselves three times as valuable. I shall come to that question in a moment. Another demand is that all dependents of political prisoners may be granted adequate family allowance.

That is a matter on which orders have already been passed with full agreement of all provinces namely, that in necessitous cases family allowances should be granted and, in fact, they are being granted. Then the next demand is that the rule regarding prohibition of correspondence between prisoners confined in different jails should be relaxed. That is obviously a matter of Jail-discipline. It does not concern their physical well-being. Another is that the censoring of letters, newspapers, etc., should be stopped. Well, the House has had an opportunity of seeing some of the correspondence which was attempted to be smuggled out of the jail. With that knowledge before them they might perhaps see the point of at least reading these prisoners' letters before they are allowed to be transmitted. Then they demand the abolition of punishment of solitary confinement in cells. In fact there have been only three cases since Deoli has been selected as a place for detention and in fact the confinement is nothing like as severe

as it is in the ordinary jail. I have seen the cells in which they are put for jail offences and they are in full sight of people walking about outside. Then they have asked that release on parole should be allowed in case of serious illness of relatives, etc. We do so. In a very recent case one gentleman named Aziz Hindi was sent all the way to Amritsar to see his sick daughter. Government offered to pay the hospital expenses and, in fact, paid.

Those are all the demands for which they are going on strike and my point in quoting them to the House is that they are not demands bearing on their physical well-being for which they might be entitled to strike. They are what I might call political demands, demands that their status should be of a different character, that they should be allowed to say where they should be confined and given freedom to communicate with the outside world—in fact they should be allowed to lay down their own terms. If Government is keeping these prisoners in fairly good conditions they are not entitled to be censured if these people go on strike for demands which are in no way necessary for their physical well-being. Now, Sir, Mr. Joshi mentioned that he went to Deoli and saw all these conditions for himself and I should say that anyone reading his report would immediately observe one thing and that is that he has not pointed out any serious ground for holding that these prisoners are not being well looked after. The suggestions which he has made cover all the demands which I have just mentioned, i.e., they are not suggestions bearing on the real needs of these prisoners in order to keep them in good health. They are matters of general treatment and of course raise the question of whether they should be confined at Deoli at all or be sent back to their provinces. Now, Government made no secret of that report. They allowed Mr. Joshi's report to go into the jail and to be seen by the prisoners themselves and before the strike started they told the prisoners that Mr. Joshi's suggestions were going to receive very careful consideration and that that consideration would only be prejudiced by any headstrong action on their part. Nevertheless, that warning had no effect. Actually I was taking up some of the suggestions made by Mr. Joshi because I welcomed what I regarded as sincere outside opinion on the general question of the treatment of these people. I was about to take up certain points with the provinces but of course from the moment this strike starts the whole thing falls to the ground. No action whatever will be taken on any suggestion bearing on their demands so long as the strike continues in being.

Now, as regards the actual conditions in Deoli, I said I would give the House a little more information about them. I am afraid I have not very much time but I will allude to what they can get out of their allowance of -/12/- annas and -/9/- annas a day. I may tell the House that their catering is done by a kitchen committee chosen from among the prisoners themselves and this Committee has been able to supply first class prisoners at annas -/12/- a day allowance with many luxuries. For instance during the month of September last alone 47 one pound tins of Polson's butter were consumed and 20 half pound tins,

36 tins of preserved pineapples,  
30 tins of Sardines,  
32 tins of green peas,  
66½ packets of biscuits,  
12 tins of Ovaltine,



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19 bottles of Australian honey,

16½ lbs. of cake,

and 19 tins of Lipton's tea at Rs. 1/15 a lb.

In addition, there were some twenty other delicacies in lesser quantities.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): Is there no honey available in India? Why are they being supplied with Australian honey?

**The Honourable Sir Reginald Maxwell:** I have no time to answer these questions. Similarly from the -/12/- anna ration allowance, the Kitchen Committee were able to produce 403 apples, 24 seers of grapes, 827 bananas, 14 seers of almonds and many other fresh and dried fruit in lesser quantity. They even had poultry to eat. That is how these hunger strikers have been receiving attention.

As regards the 2nd Class prisoners, the same sort of Kitchen Committee were able to provide

34 seers of grapes

1,095 bananas

12 seers of almonds

7 seers raisins

10 fowls

6 tins of Sardines

9 seers of fish

37 lbs. tinned butter

8 packets of tea at Rs. 1/2/- a lb.

19 tins of preserved pineapples.

I have here a report actually giving all this sort of information about Deoli.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): The Honourable Member is misleading the House. May I know the number of prisoners who received this ration and the period over which it was spread?

**The Honourable Sir Reginald Maxwell:** I propose to make the whole of this report public and I shall have it published and distributed to the entire press of the country so that the people may know how these people have been living and to show that they have no grounds for complaining of ill-treatment. In fact the real reason of the strike is political. I think the House has read the letters of Jai Prakash Narain and it is hardly necessary to remind them of one or two things that were stated there. "Generally speaking", he says, "there is nothing much to complain of in the Deoli Camp" but "the Communist Party fellows are thinking of the strike entirely in terms of party propaganda. They were telling that they must do something to bring themselves before the public eye", and so "instructions were received from the Communist Party headquarters outside that the hunger strike should not be started till schools and colleges open and

the Central Assembly meets''. He goes on in his letter: "that is, till we have the platforms ready to tom-tom their great struggle." That is an extract from his letter which was published.

I must finish now: all I can say is that these prisoners are not ill-treated: there is nothing that they are really entitled to strike for, and it is not fair that persons, regardless of their scale of living before arrest, should be given the privileges of first class prisoners at the expense of the general tax-payer when many workers in the towns and countryside are living on a far less generous scale of living and have to pay the taxes out of which these prisoners are expected to be supported. I would, therefore, ask this House not to give any support to this strike but to make it clear to these persons that by endangering their own lives they are not furthering their cause; and if the House gives such a verdict on this Adjournment Motion it will, I think, have a definite effect in discouraging these persons from putting their lives into further danger. In the meanwhile, all I need say is that they will be looked after as well as possible—I have sent for additional medical officers and compounders and I will do all I can to keep them alive; but give way to a strike of this kind, I will not.

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural): Sir, I have heard with a degree of relief some of the statements which have been made by the Honourable the Home Member about the actual physical condition of these detenues. The House has also heard with some degree of amusement the enormous amounts of luxuries which they are supposed to consume. But I will beg of the Home Member to tell us for what period this volume of amenities was consumed. . . . .

**The Honourable Sir Reginald Maxwell:** In the month of September only: one month.

**Mr. Jamnadas M. Mehta:** In the month of September, for 30 days, 209 prisoners, if they consumed 25 tins of Polson's butter, what does it come to? 1,000 bananas he says . . .

**The Honourable Sir Reginald Maxwell:** In addition to their ordinary jail diet.

**Mr. Jamnadas M. Mehta:** Still, let us consider what it comes to. In one month if you consume even 1,500 bananas, it comes to 50 per day and the share of each of these 209 persons would come to about quarter of a banana. I do not think it is right to call this a luxury. I think this will present a very wrong picture . . .

**The Honourable Sir Reginald Maxwell:** What about the pineapples?

**Mr. Jamnadas M. Mehta:** Then we were told about certain tins of honey. If I heard the Honourable Member aright, the honey could have just made their teeth wet—but it could not have gone down their throat—the quantities that were mentioned. I am sorry to say that the Home Member introduced some very tantalising descriptions which I think might well have been spared. If you analyse the period over which these amenities were spread and the number of prisoners that were there, I think it is a cruel joke to describe them as anything of a luxury. It is the barest of bare amenities to people who are used to a better standard of living. On the

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Home Member's own admission many of them are highly educated university people, some of them are professional men; many of them are of high status; and to say that one-fourth of a banana is any luxury to them is really to practice a joke on their susceptibilities. Remember that these people are not tried or convicted. In war time society will tolerate some kind of restraint even without agreeing with Government. The people who are detained today have not been convicted of any crime; and there is an uneasy feeling in my mind that some of them, at any rate, must be absolutely innocent. To such people, to be thrown along with 209 others away from their homes, hundreds of miles away, it is no consolation that their bare physical well-being is looked after.

The fact that they are kept in confinement without conviction entitles them to some better treatment as some compensation for their not being treated according to law; and if you maintain that they should not go to their own provinces to be detained there and that the Government must have the last word on the subject, the least that the Government can do is to provide facilities to the members of their families to go and visit them at fair intervals. Mr. Joshi's complaint is not that they are kept in Deoli, but that they are kept away from their homes and no facilities are given to their wives and children to visit them at convenient intervals at government expense. I do not think that this is at all an extravagant demand, and I am very sorry that the Home Member has unduly taken fright at the strike of these people. May I know how long ago these people applied for being repatriated, before they went on hunger strike? The Home Member complained that these people cannot go on strike on the question of repatriation. I quite agree if it was made only a few days ago . . .

**The Honourable Sir Reginald Maxwell:** No; they were asking for it before: it has again been under consideration on Mr. Joshi's report for a few months and in the meantime they have gone on strike.

**Mr. Jamnadas M. Mehta:** If the demands had been purely political and had not been granted, that is another thing. But the visit of wife and children is not a political demand; I am sorry if I have not followed the Home Member aright, but Deoli, I understand is 60 miles away from the nearest railway station . . .

**The Honourable Sir Reginald Maxwell:** There is a bus service

**Mr. Jamnadas M. Mehta:** It is after all not a railway station; and in these days of petrol rationing there may not be enough buses. For these reasons there is nothing unreasonable in the demand that you should either repatriate them to their own provinces and keep them in safe custody there or to provide for the visits of their families. We are not challenging here the action of the Government in detaining them: what is said is that even after their physical well-being is provided for, the fact that they are not guilty persons but are merely detained on suspicion gives to the public always an uneasy feeling about their other requirements; and I think the Government should not take up an obstinate position. The strike may be an extreme form of protest, I do not deny it—perhaps it may have been designed to synchronise with the opening of the Legislative Assembly, but what is wrong with that? If they want their complaints to be heard, this is

the forum; and is it going to be complained on behalf of government that a strike has synchronised with the opening of the Assembly? It rather shows their belief that if they have a serious grievance this House will listen to it. What is wrong about this that the Honourable the Home Member should complain that it has synchronised with the opening of the House? It is the most appropriate thing that can have happened. If the House had not been sitting, there will be nobody to raise any cry in their favour.

Sir, we are charged with the well-being of detenu prisoners and it is our duty to discharge this function as well as we can. Therefore, it cannot be a complaint that this hunger strike has synchronised with the opening of the Assembly. Perhaps they know that Government will be open to public pressure in a House of this kind. That is not political. It is the right of the subject, it is the right of the citizen that he should be heard in a forum which is the most convenient forum of relief to him. Therefore, Sir, so far as the main grievances described by Mr. Joshi are concerned,—and with two of them at any rate I entirely agree,—I say that either you should repatriate them, or if you don't do so, then give every facility to their wives and children to visit the detenus at fair intervals. That is not being done today, and until that is done, this grievance will remain in the opinion of the public as a just and genuine one, and no amount of description of honey and bananas or tins of coffee and fish will beguile us into the belief that a detenu is a happy being. You may give me bananas as much as you like, but I would rather be out, than eat one fourth of a banana in jail, —I may not like a banana at all. Therefore, Sir, I think the Honourable the Home Member should not have imported this rather amusing caricature of their supposed comfort which works out at a very meagre proportion and which is more tantalising than real and puts a wrong colour, a wrong construction, on what is really no concession at all. For these reasons I would beg of the Honourable the Home Member not to insist on their withdrawing their hunger strike before he acts, but he should expedite his action and in the meantime try to preserve their health, life and safety as much as he can.

**Mr. N. M. Joshi:** Mr. President, I had stated in my speech in moving the adjournment motion that my intention was that the discussion of this subject in the Legislature would expedite the ending of the unfortunate situation. Sir, the Honourable the Home Member advised the House not to do anything by which the strike may be prolonged. Sir, it is not my intention that the strike should be prolonged. In order that the strike may not be prolonged and may end soon, I have moved my adjournment motion.

I am sorry, Sir, the Honourable the Home Member said that he will not surrender to dictation or strike. My friend, Sir Henry Gidney, said, that I moved my adjournment motion in order to force the hands of Government. Sir, I have been a Member of this Legislature for at least as long a time as my friend, Sir Henry Gidney, has been, and I know how the Legislature can force the hands of Government. I know what the present state of the Legislature is, being truncated and attenuated as it is today. When the House was full, it could not force the hands of the Government, and it cannot do so today. But my intention has been that the Government of India should, out of fairness and justice, be prompt in giving their attention to the grievances of the detenus in Deoli. I would

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like the House to give their attention, and a very sympathetic attention, to the grievances of the detenus in Deoli, so that the strike may end soon.

Sir, I am not one of those people who generally try to foment strikes, much less a hunger strike. I know a strike is a method of agitation for securing redress, but a hunger strike is a method of inflicting pain upon oneself,—and I am not a believer of that method,—I would not advocate it. And if I can tell the House, knowing the people who are in Deoli, that they themselves in normal circumstances will not advocate 'the hunger-strike as a method of agitation for securing redress. We must remember that the detenus are living in abnormal circumstances. It is not open to them to agitate or to make speeches. It is not open to them to write pamphlets and create public opinion from the jail. They are under duress, they are in imprisonment, and in that state of imprisonment, helplessness and desperation, they have resorted to hunger-strike. Therefore, it is wrong for the Honourable the Home Member to treat the hunger-strike as a sort of threat. It is a method undertaken by people who are helpless and desperate. I would, therefore, suggest to the Honourable the Home Member not to entertain a false idea of what is subversive to discipline. If the grievances are real, let them be removed today. Let him not wait till the strike is over. If the removal of the grievances will end the strike, I am quite sure the prestige of the Government will not suffer. The prestige of the Government does not depend upon a particular hunger-strike having been successful. Is it such a weak prestige? I, therefore, hope that the Honourable the Home Member will give up the wrong idea that if he yields or surrenders and removes the grievances which are real, the prestige of the Government of India will suffer. Sir, I say the prestige of the Government will not suffer thereby unless their prestige means that even if the Government of India do a wrong thing that wrong must be maintained. No, Sir. The prestige of the Government of India depends upon the Government of India being fair and just. I would, therefore, Sir, suggest to the Honourable the Home Member to give up the wrong idea of prestige and the wrong notions of what is subversive to discipline. Let him examine these grievances properly.

Sir, I would say one word to the House, and it is this. I am very grateful to those Honourable Members who have supported my motion for adjournment, and any word of sympathy which would create a feeling that the Legislature will look after the grievances of these detenus will be helpful in the removal of their grievances, it will be of great use on this occasion.

There is one word more which I wish to say, and that is about what the Honourable the Home Member said regarding the views of Mr. Jai Prakash Narayan. I do not wish to open that subject, because I shall have to make a long speech. Only one thing I wish to make clear, and it is this, that Mr. Jai Prakash Narain is himself not living in normal circumstances. He is living an abnormal life.

**An Honourable Member:** He can write that letter.

**Mr. N. M. Joshi:** Let my friend first go there and take some experience; he will know what an unnatural life of imprisonment he is living.

Moreover, Sir, unfortunately, people holding different views having been brought together, they develop their differences. A man in abnormal circumstances makes a certain statement that communists wanted to go on hunger-strike for the purpose of propaganda or things of that sort. But they are not the statements made by a man under normal circumstances.

Then, the Honourable the Home Member quoted Mr. Jai Prakash Narain having said that there is nothing wrong in the conditions under which the detenus are living. That may be his view. There are some people who will very willingly live under whatever circumstances the Government may choose to place them. I know by my little experience. One of my younger brothers was in jail. The Superintendent asked him whether he wanted some fruit . . . My brother said, "Well, it is not for me to ask for fruits . . . ." So Mr. Jai Prakash Narain out of patriotism, or out of any other motive, may have been content with the circumstances in which he is placed. But is that going to be quoted as an evidence that the conditions in Deoli camp are the best? If that is the view of the Government, I challenge them to accept my suggestion and appoint a Committee to examine the conditions under which the detenus in Deoli are kept. Let Government appoint a Committee. That is my suggestion. Let even my friend, Sir Henry Gidney, be a member of that Committee, I have no objection.

**Lieut.-Colonel Sir Henry Gidney:** I have been to Deoli.

**Mr. N. M. Joshi:** Let the conditions there be investigated by an impartial Committee. I, therefore, suggest that it was wrong for the Honourable the Home Member to quote the authority of Mr. Jai Prakash Narain.

Sir, I do not wish to continue this debate longer, but at the end I would again express the hope that this debate will persuade the Government of India to take up a reasonable, I would even say generous attitude, over this matter, and remove the grievances from which the detenus are suffering. I would also hope that the Members of the Legislature will watch over this situation sympathetically and help in the solution of this very unfortunate situation. I hope that the discussion of this adjournment motion will be helpful in ending the hunger-strike at Deoli.

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

"That the Assembly do now adjourn."

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 30th October, 1941.