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TENTH SESSION
OF THE
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1939



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Legislative Assembly.

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

Deputy President:

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

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

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

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

RAJA SIR VASUDEVA RAJAH, C.I.E., M.L.A.

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LEGISLATIVE ASSEMBLY.

Monday, 18th September, 1939.

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

STARRED QUESTIONS AND ANSWERS.

ORAL ANSWERS.

CIRCULAR re PRODUCTION OF STAMPED AUTHORITY FOR APPEARANCE ON BEHALF OF INCOME-TAX ASSESSEES IN BOMBAY AND SIND, ETC.

203. *Mr. Lalchand Navalrai : Will the Honourable the Finance Member please state :

- (a) whether Government are aware of the Circular issued by the Commissioner of Income-tax, Bombay Presidency, Sind and Baluchistan, to the effect that any person qualified under section 61 of the Indian Income-tax Act, 1922, to appear on behalf of an assessee before any income-tax authority in connection with any proceedings under the Act would be allowed to do so only if his authority is stamped in the case of a lawyer with a court fee stamp of the value of annas eight under Article 10 of Schedule II of the Indian Court Fees Act, 1870, which provides for payment of stamp duty on *Mukhtarnama*, or *Vakalatnama*, and in the case of others with a non-judicial stamp of Rs. 2 under Article 48 (g) of the Indian Stamp Act, 1899, which provides for payment of stamp duty on power-of-attorney ;
- (b) whether Government are aware that this Circular, apart from placing an additional burden on the assessees, is causing great hardship to the assessees ;
- (c) whether Government or the Income-tax Commissioner or other Income-tax authorities have received any representations either from private individuals or public bodies in connection with the removal of this hardship ; if so, what steps Government contemplate taking in the matter ;
- (d) whether Government propose to give any relief to the assessees ; if so, what ; if not, why not ;
- (e) whether it is a fact that in the Bombay Presidency including Sind a manager of a business not residing within the jurisdiction of the Income-tax Division is not allowed to

appear in an income-tax proceedings, connected with his firm's business without production of a stamped authority ; if so, under what rule or authority this is being done ; and

- (f) whether it is a fact that if an assessee sends his relative, a clerk or a servant merely to obtain a postponement of the proceedings before the Income-tax Officer or to show books, he is required to produce a duly stamped authority to do so ?

The Honourable Sir Jeremy Raisman : (a), (b), (c) and (d). I would refer the Honourable Member to the reply given by me to starred question No. 58 asked by him on the 1st September, 1939.

(e) Section 61 (1) of the Income-tax Act prescribes that " any assessee who is entitled or required to attend before any Income-tax authority in connection with any proceeding under this Act..... may attend by a person authorised by him in writing in this behalf ". If, therefore, the assessee desires to be represented by his Manager or employee in any matter in which he is called upon to attend or himself wishes to attend, the Manager or the employee must have a written authorisation which should be stamped as a power-of-attorney. The question of jurisdiction does not affect the position.

(f) No stamped authorisation will be necessary where a representative appears without acting for the assessee, e.g., the production of documents, to produce or explain accounts and making formal applications for time. A written and stamped authorisation will, however, be necessary in cases where the assessee seeks to obtain a postponement of the proceedings before the Income-tax Officer.

Mr. Lalchand Navalrai : Under what law is he asked to give stamp when he applies for adjournment, either himself or through his clerk ?

The Honourable Sir Jeremy Raisman : Under the Indian Stamp Act.

Mr. Lalchand Navalrai : Under the Indian Stamp Act, it will be when a person appears through another person. But under the Indian Income-tax Act, there is no provision that when the party himself is appearing or through a Manager, a power-of-attorney is required.

The Honourable Sir Jeremy Raisman : Under the Stamp Act, the person who has to have a power-of-attorney has to produce a document which is suitably stamped. The question whether he requires a power-of-attorney or not is a question of law.

Mr. Lalchand Navalrai : In view of the fact that there is always a difference between a *Mukhtarnama* and power-of-attorney, the former being only for the purpose of appearance, that difference should be observed in proceedings under the Income-tax Act also, will the Honourable Member instruct his officers to observe this difference ?

The Honourable Sir Jeremy Raisman : It is not a matter which can be settled by instructions to my officers. It is a question which should be settled in a Court of law. If any party is aggrieved and thinks that he ought not to be required to produce a power-of-attorney, he must take the matter to the Court.

Mr. Lalchand Navalrai : Will the Honourable Member not issue instructions which are ordinarily issued ?

The Honourable Sir Jeremy Raisman : No, I cannot do that. I cannot make law by instructing my subordinates.

SAVINGS DUE TO THE TRANSFER OF BRITISH TROOPS TO THE IMPERIAL ESTABLISHMENT.

204. *Mr. Lalchand Navalrai (on behalf of Sardar Sant Singh) : With reference to the answer given to starred question No. 55, asked in this House by Mr. Lalchand Navalrai, M.L.A., on the 1st September, 1938, will the Defence Secretary, please state :

- (a) what is the net saving to the Indian Revenues on account of the transfer of the British troops from the Indian to the British establishment ; and
- (b) how it is proposed to utilise such saving ?

Mr. O. K. Caroe (on behalf of Mr. C. M. G. Ogilvie) : (a) The net annual saving to the Indian revenues on account of the transfer of British troops from the Indian establishment will be Rs. 201 lakhs.

(b) It is proposed to utilise the saving to meet the increased cost of mechanisation and modernisation.

Mr. Lalchand Navalrai : Will the money be used in the Military Academy to produce more cadets ?

Mr. O. K. Caroe : I shall require notice of that question.

REPORT OF THE CHATFIELD COMMITTEE.

205. *Mr. Lalchand Navalrai (on behalf of Sardar Sant Singh) : Will the Defence Secretary please state :

- (a) whether the Chatfield Committee's Report has been considered by the Government of India ;
- (b) whether Government propose to publish the same ; if so, when ;
- (c) what are the main recommendations of the Committee ; and
- (d) whether Government propose to place these recommendations before the Assembly for its consideration ?

Mr. O. K. Caroe (on behalf of Mr. C. M. G. Ogilvie) : (a)—(d). The Chatfield Committee submitted its report to His Majesty's Government and not to the Government of India. The report will not be published. The main recommendations as accepted by His Majesty's Government and the Government of India will be found in Military Despatch No. 5, a copy of which has been supplied to the Honourable Member.

Mr. Lalchand Navalrai : Was the report confidential, so that it should not be laid on the table ?

Mr. O. K. Caroe : Yes, Sir.

DELAY IN DISPOSING OF THE BUILDING PLANS IN THE KARACHI CANTONMENT.

206. *Mr. Lalchand Navalrai : Will the Defence Secretary be pleased to state :

- (a) whether the attention of Government has been drawn to a contribution in the *Daily Gazette* of Karachi, dated the 20th August, 1939, under the caption of " Landholders in Karachi Cantonment " regarding delays in disposing of the building plans, and its editorial at page 10 ;
- (b) whether it is a fact that for building and rebuilding sanction is obtainable by the landlord giving notice in writing of his intention to the Board and the Board has to refer every such application to the Military Estates Officer for objections, if any ;
- (c) whether it is also a fact that the Military Estates Officer has to return the application with his report within thirty days after it has been received by him ; and if the Board neglects or omits to make and to deliver the required order within one month after the receipt of the notice, the landlord draws the attention of the Board to the neglect or omission by written communication, waits for fifteen days more and then build or rebuild the building ; if so, whether this procedure is being followed ;
- (d) whether it is a fact that the delay of a year or eighteen months in disposing of the applications occurs owing to detention of papers in the higher offices at Quetta and Simla ; and that Colonel G. F. J. Patterson assured the deputationists who waited on him at Karachi about the simplification of the entire procedure for speedy disposal of the plans ; if so, what orders have been passed to simplify the procedure ; and
- (e) whether it is a fact that delay in the speedy disposal of plans continues owing to the rule that the time of one month allowed to the Board for disposal has to be reckoned from the date on which the Board receives the report of the Military Estates Officer ; if so, whether Government propose to get the rule amended ; if not, why not ?

Mr. O. K. Caroe (on behalf of Mr. C. M. G. Ogilvie) : (a)—(e). I am collecting the information and will lay it on the table in due course.

Mr. Lalchand Navalrai : As delay in getting sanction for building is causing great hardship to the landholders, will the Honourable Member kindly expedite it ?

Mr. O. K. Caroe : I have no doubt that the matter will be expedited as far as possible.

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO INQUIRE INTO THE AFFAIRS AND GENERAL ADMINISTRATION OF THE EAST INDIAN RAILWAY.

Shaikh Rafuddin Ahmad Siddiquee (Chittagong Division : Muhamadan Rural) : Sir, I beg to move the following Resolution which stands in my name :

“ That this Assembly recommends to the Governor General in Council to appoint a committee of railway experts and representatives of the public to inquire into the affairs and general administration of the East Indian Railway which at the time of its transfer from the Company to the State in 1924 was deemed to be the best administered railway in India and to suggest the ways and means for restoring its traditional efficiency.”

In moving this Resolution my purpose is simple. The Resolution is worded in very clear and unambiguous language. Of course the word “ affairs ” is comprehensive and I will try to explain the real purpose behind it. We all know that before and even at the time of the transfer of the East Indian Railway to the State its administration was considered most efficient and satisfactory from all points of view. It was a solvent company and was paying a dividend to its shareholders. There were no complaints regarding major accidents or inefficiency of supervising staff or any great discontent on the question of communal prejudices. The general administration was more elaborate and less expensive with more sense of responsibility to the people who were their customers. Their locomotive purchase policy was economical and fully equipped with experts to give their opinion with responsibility. The company had to meet difficult times of the Great War which brought economic pressure on many sides of the business, specially iron and wood, which were the essential commodities used in a railway. The internal trade was restricted as port to port business was mostly done in this country before 1924. The number of travelling public was certainly less fifteen years ago as the population of India has been on the increase in millions. These were the relative disadvantages in which the East Indian Railway ran its administration but there was more security of public life, better and more prompt payment of claims to merchants for damages to goods during transit and more security of service for employees specially those in the lower cadres. Since its purchase by the State in 1924, a new era began where the high officials of the railway began to give themselves airs as being Government officials beyond approach. The staff generally began to assume more indifference to the public and courtesies vanished from them as the passengers were no more customers of a railway company but subjects of Government who were running the railways. With the indifference of staff, the merchants and merchandise began to be neglected. The top-heavy administration being the order of the British rule in India, they adopted the attitude of appointment of more supervisors than the workers themselves. Even the gang inspector gave himself the airs of an Inspector of Police and also the ticket branch inspectors began to have a “ red tape ” style of being attached to the Government of this country. This is what the public felt, and then the top-heavy administration introduced any number of new officers and created posts for all sorts of unimaginable supervision. During the company's rule, one D. S. used to control the whole administration of a division, but now they have created S. T. and A. S. Ts. and super-

[Shaikh Rafiuddin Ahmad Siddiquee.]

intendents of one department or the other. Their salaries were increased and the administration of the railway became a job of hunting places of everybody. Things did not rest there. In the head office ten more departments were created and C. O. Ps. and Assistant C. O. Pa., C. C. O. and Deputy Agent (Personnel) and Deputy Agent (Works) and Deputy Agent (Superintendent Staff) and many other new posts with higher salaries were created.

Whenever the question of retrenchment was moved, only either the menial staff was to be reduced or the gangmen or the small salaried staff of checking branch side were affected and this was claimed as the retrenchment on the part of the Government Railway. Regarding the neglect of duties and the callousness of the engineering side and the control side, I would only request this House to recollect the statement made in Justice Thom's Report on the inquiry into the Bihta disaster. I would not like to indulge in details, but I would certainly say, reading paragraphs 69 to 76, 124 and 161 to 165 of the said report, that it is definitely established that by the purchase and distribution of such a large number of XB engines in 1926-27 the administration was positively responsible for contributing to the said disaster. In fact the Honourable Justice Thom said so in his report. The Divisional Superintendent had admitted in his evidence that he wished these engines were dead and buried for ever. Bihta was not the end. Since then we have seen five more major accidents on the said East Indian Railway and this was a record 18 months. Of course in inquiries some causes were admitted of these accidents but there is no going back from this fact that the administration was held to be inefficient in one form or another either in the form of inefficient staff or inefficient guarding to avoid sabotage.

This is one of the points and the most important point of the failure of the State Railway in giving security to the people of this country. It may be borne in mind that no accidents were reported when terrorists were haunting the country and have only been experienced when settled government in provinces was working. I would like to draw the attention of the Members of this House to think over this and feel for themselves the probabilities and possibilities.

Now, Sir, I come to the side of their treatment of merchants and merchandise. The company was more liberal in payment of claims and was afraid of being dragged to a court of law. But what do Government care whose officers are not required to pay anything even if the matter is taken to a court of law ?

Coming to the financial side of the East Indian Railway, as a State Railway, I would say that the net result has been that the shareholders who in this case are the taxpayers of India had normally to subsidise the fund from Central revenues, as deficit was the only result. The so-called shareholders had the satisfaction of owning a most unremunerative line which gives only a diminishing return.

It is sometimes said that the rail-road competition was responsible for losses in receipt of revenues or that the general slump in business in India was responsible. I do not know how Government can at all make out any case on either of these. Can they prove that the average income

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of the East Indian Railway Company was more in terms of receipts than it is of the State Railway ? Never at all, Sir. Of course, there are many other factors which I cannot explain at length to this House. I would only submit that piece-meal enquiries have been going on and in most of them the railway administrations were put at fault. Recently we had the Locomotive Enquiry Committee's Report and the House knows the views expressed in this House at the failure of the railway administration. We had also the Wedgwood Committee's Report which was equally not very much appreciative of the general administration of all the lines. We had the Bilta Enquiry Committee and a few others to which I have referred and more I do not want to refer to. Can the Honourable Member for Railways justify his position with so many unhappy remarks ? There are questions of callousness of the East Indian Railway officials in the matter of distorting the 1934 Resolution of the Government of India and so many other things, which I cannot relate to the House even if I were to talk for the whole day.

Under these circumstances, Sir, I commend this Resolution to the House for acceptance. Before I close, I would only ask, why have piece-meal reports ? Appoint a committee of experts and public men to advise the administration on the whole system of its working, its method of improving revenues, reducing expenditure, acquiring efficiency, giving security and safety to the public and all such details which may be incidental to the enquiry. The House will realise that the Railway Board has miserably failed in improving the financial value of this national asset of hundreds of crores of rupees ; and I feel that Government should lose no time in appointing this committee which may cost them a few hundred thousand rupees but will save them a few hundred millions every year. I am moving this Resolution with no sense of hostility or as one who may be a professional critic or a sworn oppositionist, but in absolutely good faith of co-operation and extreme anxiety to relieve the taxpayer from "deficient drainage."

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

"That this Assembly recommends to the Governor General in Council to appoint a committee of railway experts and representatives of the public to inquire into the affairs and general administration of the East Indian Railway which at the time of its transfer from the Company to the State in 1924 was deemed to be the best administered railway in India and to suggest the ways and means for restoring its traditional efficiency."

Mr. Lalchand Navalrai (Sind : Non-Muhammadan Rural) : I have to raise a point of order, Sir. May I know if I can do it before or after the amendment is moved ?

Mr. President (The Honourable Sir Abdur Rahim) : He has not moved it. The Chair does not know what the amendment is.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : Sir, I move :

"That at the end of the Resolution, the following be added :

'and that terms of reference shall include that Committee will enquire into the position of Muslims in services on the East Indian Railway and suggest methods for immediate restoration of Muslim quota in all grades by recruitments and promotions.'

Mr. Lalchand Navalrai : The point of order which I propose to raise is whether this amendment is relevant and germane to the Resolution itself. Let me at the outset make it clear that I am not at all opposed to a reasonable quota being given to my Muslim friends in the services, but I am certainly of opinion that when much has already been given to them more should not be asked. However, the point of order is this. What the Resolution aims at is that a Committee should be appointed to go into the affairs of the general administration of the East Indian Railway and to suggest ways and means for restoring its traditional efficiency. When they raise this question of traditional efficiency, we have also to consider the fact that in those former days there was no such question as communal ratio, which is of recent date. If my friends want to raise the question of restoring traditional efficiency, then the question of communal ratio being absent in former days, no question of any tradition arises which the committee can go into. In those days.....

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member need not describe what tradition was.....

Mr. Lalchand Navalrai : Very well, Sir.

Now, the amendment asks that the Committee should examine the question of the position of Muslims on the East Indian Railway and suggest methods for immediate restoration of Muslim quota in all grades by promotion. I submit, Sir, that this amendment is clearly not relevant to the issue of restoring the traditional efficiency of the Railway administration which is the subject matter of the main Resolution.

Mr. President (The Honourable Sir Abdur Rahim) : What has the Honourable Member got to say ?

Mr. Muhammad Nauman : Sir, my submission is that when appointing a Committee on the East Indian Railway, if the terms of reference are enlarged, there can be no harm specially when public men are to be included in the personnel.

Mr. President (The Honourable Sir Abdur Rahim) : The Chair holds that it is out of order. The amendment proposes to raise different issues, and only one issue can be raised on a Resolution.

Mr. Muhammad Nauman : Then, may I have your permission to speak on the Resolution itself ?

Mr. President (The Honourable Sir Abdur Rahim) : Yes, certainly.

Mr. Muhammad Nauman : Sir, my friend, Shaikh Rafiuddin Ahmad Siddiquee, has clearly explained to the House in his interesting speech the faults of the present administration of the East Indian Railway. This Railway, Sir, is now owned by the State, and despite the numerous facilities it enjoys in several matters, it is still a losing concern, though it was paying concern when it was under company management. In those days, the East Indian Railway Company used to pay very huge dividends to its shareholders in spite of the fact that the Company did not enjoy so many facilities which are now enjoyed by the East Indian Railway as State Railway. In those days, soon after the war particularly, they had to pay very high prices for wood, iron and steel which

are the special commodities used by Railways in their workshops, and yet they used to pay handsome dividends to the shareholders, but today although this Railway is under State control, yet it has become a losing concern. There is no denying the fact that during the last 15 years the population of this country has increased enormously, and, consequently, the number of people travelling by Railways has also increased, but, unfortunately, the net revenue receipts do not show a corresponding increase. Another point to be considered is this. Before the year 1924, more business was done through ports directly by steamship companies, but now with the development of indigenous industries in India like those of sugar and cement and others, the internal transport has increased, and the position of the Railways should have been financially sound. But, Sir, it is really very surprising that in spite of all the numerous advantages and facilities which this East Indian Railway administration is enjoying today, things have not improved either in the way of better amenities for travelling public or by way of showing better returns of net income. The only cause that a layman can assign to all this result is the factor of top-heavy administration and the heads of the administration do not pay as much attention as they should have to the daily work of administration. Unless they do this, and unless they change their methods of administration, they will not succeed in restoring their traditional efficiency, or improve the income to show increased returns as they had been showing during the company-managed days.

The present state of railway finances really represent a horrible state of affairs, and if this position continues, I am afraid it will make us bankrupt and the public will be compelled to bear the burden with further taxations to make the railway administrations deficiencies. Already several Committees were appointed to look into the various aspects of all the Railway Administrations like the Pacific Locomotives Committee, the Wedgwood Committee, the Bihta Enquiry Committee and few others, and we all know what opinions they have expressed about the administration of the East Indian Railway, and in spite of the praise they may have showered on some individual officials of the Railway, they have vigorously suggested that considerable improvements should be effected and that the Railway Administration have failed miserably in discharging their obligations to their shareholders, who in this case happen to be the taxpayers of this country. Recently, Sir, we have seen that there have been numerous major accidents on the East Indian Railway, and with a record of such horrible and disgraceful accidents, the administration can hardly claim any credit of their efficiency. I do not suggest that a railway administration is infallible, and that there could have been any accidents at all, but within the last 18 months the number of major accidents which have occurred is really shocking. We certainly feel, Sir, that the administration required a thorough overhauling. There is no use of undertaking piecemeal inquiries, which the Railway Board has been making from time to time. Why not take up a particular line and go into all its different aspects and details with the idea of improving the amenities of travelling public, giving relief to the taxpayer as much as possible, ensuring the safety of the travelling public, and securing the confidence of the people of India who are your owners and customers. Why rest

[Mr. Muhammad Nauman.]

content with a committee appointed to enquire only into particular matters like the one on "Pacific Locomotive"? No doubt, you have appointed many other committees and they have certainly imparted very useful informations which will be helpful to the administration in the long run. What I suggest is that it would not be inadvisable to appoint a committee the terms of reference for which should be to look into all the affairs of the East Indian Railway and arrive at a decision on the financial issue, the administrative issue, the working ratio, the method of improving your receipts, the method of acquiring more co-operation from public, and suggestions and findings will help you in overhauling the whole chain of administrations of this Railway and serve you as a guide for other railways without appointing any separate committees for them. I agree that it may cost a few lakhs of rupees once but I think it is worthwhile spending when the chances are that you may be able to save some crores every year in future. If we can save about ten million rupees a year by spending a quarter of a million of rupees once only, even as a business proposition this suggestion cannot be turned down. I hope the Government of India will realise that this Resolution is a very simple one and is moved with full sense of co-operation. I may submit, Sir, that there is an anxiety in the minds of the taxpayer of India, I mean in the minds of the general public, that there is certainly some inherent defect in the East Indian Railway. Why, after having been transferred to the State, in spite of the better facilities afforded to the East Indian Railway now,—there should have been this actual position created in which there is practically little security of life to people for reason of accidents, and there is financial bankruptcy for the reason of topheavy expenses. With these few remarks, I would commend this Resolution to the House and request the Honourable Member to accept it as a gesture of good faith and co-operation on our part.

The Honourable Sir Andrew Clow (Member for Railways and Communications) : Sir, I fully accept the assurance from the Honourable Members who have spoken that they are anxious to help, but the point on which I differ from them is whether their suggestions are helpful. I listened as best as I could to the speech of the Honourable the Mover which was, unfortunately, somewhat inaudible. . . .

Mr. M. S. Aney (Berar : Non-Muhammadan) : That is also our grievance here,—that some portions of speeches from there are not heard here.

The Honourable Sir Andrew Clow : Does the Honourable Member hear me ?

Mr. M. S. Aney : Yes.

The Honourable Sir Andrew Clow : So far as I followed his speech, I have found in it no concrete suggestions for directions in which the administration could be improved. There was a eulogy of conditions in 1924-25. . . .

Mr. Muhammad Nauman : May I say that I did make some concrete suggestions, namely, that methods might be found out on the question of increasing receipts and also on the question of economy in the administration.

The Honourable Sir Andrew Clow : I was referring to the Honourable the Mover of the Resolution. I did hear in his speech a eulogy of conditions in 1924-25 and I gathered that everything was nearly as perfect as it could be with a railway administration. But I have looked up the debates in this House in 1924-25, and 1925-26, and they certainly do not confirm that impression, particularly as regards the East Indian Railway. I should have anticipated that the Honourable the Mover would have compared statistically in some manner the conditions of those days with the conditions of today, or that in dealing with the question of financial deterioration he would have looked at the other railways and tried to show that the East Indian Railway had been particularly unfortunate in its working during the last ten or fifteen years. But nothing of that kind was attempted.

I would remind the House that between 1924-25 and the present day there have been important changes which have effected a very radical alteration in the situation. I would select four of these,—three of them are internal to the railway administration and one is external. In the first place, the railway has changed from company to State-management. Whatever might have been said later, I did not gain the impression that at that time at least that change was unwelcome to this House. In the second place, there has been a big amalgamation of lines. The East Indian Railway took over in 1925 the Oudh and Rohilkund Railway which was previously a separate administration. It took over also the Naini Jubbulpore section of the East Indian Railway from the Great Indian Peninsula Railway. It gave away to the North Western Railway the Delhi-Ghaziabad and Delhi-Kalka lines, so that a comparison of figures is a little difficult. All I want to emphasise at present is that on the whole there was a very great enlargement of functions with a very great combination of lines and with important effects on traffic. For example, you can now run important trains right through on one administration from Howrah to Saharanpur, and further, whereas formerly you had two railways competing across the greater part of the United Provinces. The third change is one of selection of staff. The policy of Indianisation in the higher ranks has come in since that, and also the policy of communal representation in recruitment. I was not very very clear whether the Honourable Members opposite attributed the alleged loss of efficiency to the fact that we have been recruiting more men from the minority communities or not.

Mr. Muhammad Nauman : My point was that the minorities have not been given their proper share.

Other Honourable Members : No, no.

The Honourable Sir Andrew Clow : I may say that it is not my opinion either. The other change, and a very important one, is one over which the railway had no real control, and that is the immense expansion of road traffic ; and that is a factor which has affected all the railways in India and most of the leading railways in the world and has led everywhere to some financial deterioration. I think that it led Mr. Nauman into a fallacy because he referred to the enormous increase in passenger traffic. If he will bear in mind the fact that the Oudh and Rohilkund Railway was added and other lines also, and that the mileage of the East Indian Railway is more than 50 per cent. greater than it was

[Sir Andrew Clow.]

in 1924-25, I think he will see that the increase in traffic is by no means proportionate and one would, therefore, expect the overhead costs to go up. The Honourable the Mover referred to a large increase in the number of officers, but actually that is not the position at all. The figure for 1925-26 was 316, and for 1937-38, 298.

Now, I shall try to apply some tests which can be regarded as valid in spite of the great changes in the number of lines we are dealing with. One test that is very familiar to all railway operating staff is that of the operating ratio, that is the ratio that your working expenses bear to your receipts. And here are the figures for the two periods. In 1924-25 the operating ratio on the East Indian Railway was 59·49 or 59½ per cent. ; on the Oudh and Rohilkund Railway it was 74. The figures for the combined railways are, in 1937-38, 60·14, and in 1938-39, 62·4.

Mr. Muhammad Nauman : I could not follow the first figure which you gave.

The Honourable Sir Andrew Clow : It was 60·14. In other words if any comparison is to be drawn it is practically the same as the East Indian Railway was in 1924-25, although it has absorbed a railway with very much higher operating costs.

Let us take another test—the working expenses per train mile. These in 1924-25 were Rs. 4·19 ; in 1938-39, Rs. 3·85, so that the figure has gone down. Take the gross ton mile per engine hour. It was 3,430 in 1924-25 and it is 4,674 now—a very substantial increase. The wagon miles per engine hour have risen from 172 then to 208 now. Take the train miles for passenger trains. The train miles have risen from 20·8 in 1924-25 to 24·3 now. The train miles per train engine hour for mixed trains was 14·4 in 1924-25 and in 1938-39 it is 18·4. There has been a speeding up in goods traffic also, roughly from nine miles per hour in 1924-25 to nearly 11 miles in 1938-39. These figures surely speak of a very substantial increase in efficiency.

Turn to the commercial side to which the Honourable the Mover alluded and here I propose to take the claims made against the railway. I am dealing with commercial claims, not claims regarding accidents, regarding which I have no figures now. The number of claims made in 1924-25 was over 105,000. In 1938-39, it was less than 10,000. The actual amounts paid as compensation for goods lost or damaged was in 1924-25 over 29½ lakhs. In 1938-39 it is 33,000.

Mr. Muhammad Nauman : Is it because there were no damages ?

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member is interrupting too much.

The Honourable Sir Andrew Clow : I made it clear that the number of claims made has been very greatly reduced.

Take again third class passengers—a subject of perennial grievance in this House and one very prominently put forward in those halcyon days in 1924-25 when everything was perfect with this Railway. The average charge per passenger mile in 1924-25 was 3·76 pies. In 1938-39

APPOINTMENT OF A COMMITTEE TO INQUIRE INTO THE AFFAIRS AND GENERAL ADMINISTRATION OF THE EAST INDIAN RAILWAY. 623

it was 2.93 pies. We are carrying passengers now more expeditiously and at a lower rate than we were doing then. I would remind the House that we are doing that with less staff. There has been a reduction of staff since 1924-25, although not a reduction in the Muslim staff.

Maulvi Muhammad Abdul Ghani (Tirhut Division : Muhammadan) :
On a point of information.....

The Honourable Sir Andrew Clow : I am not giving way.

We are paying the staff more. I would also remind the House that we have made improvements since then in the hours of the staff. Are we to go back now on some of these fundamental changes ? In what respect is a committee going to help ? Take first the rail-road competition. That is a matter which affects all railways. It is a matter to which this House has given very close attention but I do not believe that a committee of railway experts and some non-officials on the East Indian Railway is likely to reach a solution which will be of any value. If there were indications of such a solution being reached, I should be the first to grasp the opportunity eagerly. Take again recruitment. Does the House seriously propose that we should go back on our present policy and hand over the recruitment entirely to the railways and go back on communal representation and also the policy of Indianisation ? I ask in what way will a committee prove useful. Take the amalgamation of lines. Is it seriously proposed that we should split up this railway which provides a unified service over perhaps the most important and populous part of India ? I cannot believe that any Member of this House would suggest that.

Now, we are left with one question, namely, State *versus* Company-management. I have heard suggestions lately in rather surprising quarters that we should go back to company-management. Indeed a suggestion to that effect was made from the Benches from which my Honourable friends spoke a few days ago. Well, there is a great deal that could be said on either side but I am not yet convinced that Indian public opinion would favour a reversion to the old system and I am quite satisfied that no committee of this kind could throw any real light on or give any assistance in dealing with that problem. Sir, I oppose the Resolution.

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

“ That this Assembly recommends to the Governor General in Council to appoint a committee of railway experts and representatives of the public to inquire into the affairs and general administration of the East Indian Railway which at the time of its transfer from the Company to the State in 1924 was deemed to be the best administered railway in India and to suggest the ways and means for restoring its traditional efficiency.”

The motion was negatived.

RESOLUTION RE PROVINCIAL AUTONOMY FOR BALUCHISTAN.

Syed Ghulam Bhik Nairang (East Punjab : Muhammadan) : Sir, I move :

“ That this Assembly recommends to the Governor General in Council to take immediate steps for the purpose of establishing Provincial Autonomy in Baluchistan on the same footing as in the other provinces.”

[Syed Ghulam Bhik Nairang.]

In moving this Resolution, I beg to invite the attention of the House to the state of things which has existed in Baluchistan since the acquisition by the British Government in 1879 of what is now known as British Baluchistan and the subsequent acquisition by lease and otherwise of a much larger territory known as the Agency Territories. Baluchistan can be described geographically as consisting of three kinds of tracts—British Baluchistan which is 9,476 square miles in area, the Agency tracts which are 44,345 square miles and the States of Kalat and Las Bela which are 78,034 square miles, so that, on the whole, nearly one-half of Baluchistan is under British administration and the population of the entire area of Baluchistan—although I have not been able to get the exact figures—is about a million. Now, looking at the history of British administration since 1879, when British Baluchistan was acquired by treaty and came directly into the ownership of the British Government, one finds that this Province has been administered mainly from a strictly military and strategic standpoint. Of course no one can doubt the military importance of Baluchistan to the defence of India, and if one were to talk purely from the military point of view, one need not have much to say against the principles on which the administration has been carried on so far since the occupation of Baluchistan by the British. But certainly there are considerations other than military and strategic which cannot be lost sight of but have to be borne in mind in considering the best interests of those who have been governed under that system all this time. One has naturally to ask several questions as to how the inhabitants of Baluchistan have been enabled to improve their lot under British administration and what points there are which have received scant attention so far and which must receive greater attention under the existing circumstances when the rest of India has made immense strides in spite of all that we have to say on the outstanding grievances of Indians in the matter of political freedom. Sir, when a comparison is instituted between Baluchistan and the rest of India, one cannot help regretting that Baluchistan has remained the most backward part of British India. In order to consider the condition of the people of Baluchistan one may divide the subject under certain convenient heads. For instance, one thing which usually follows the occupation of any country by the British is education. There is immediately a movement to spread education and to organise educational institutions. If one were to look at the history of education in Baluchistan under British occupation, the conclusions at which one has to arrive are very disappointing. I tried to find out how education has progressed in Baluchistan. I find in the *Imperial Gazetteer* published in 1908 a description of the system of education which had existed in Baluchistan till then and I find a very frank admission of the writer of the article in the *Imperial Gazetteer* in these words :

“ Education has as yet made little progress and a Department of Public Instruction is only now being organised by an Inspector General of Education appointed jointly for the Frontier Province and Baluchistan.”

Then, certain figures follow and the net result is stated to be that
 12 noon. there is only one high school in the Province and one
 Anglo-Vernacular Middle school and that the number of
 boys in these schools was extremely small : in 1891, 27, in 1901, 103, and

in 1903, 87. Now, that was the snail's pace at which education was advancing till 1908 when that article appeared in the gazetteer. Then, about primary education, the figures given there are that there were primary schools for boys, their number being three in 1891, fourteen primary schools in 1901 with 604 pupils, and there were twenty-one primary schools in 1903, the number of pupils being 831. Then there were mosque schools which we find later on described as consisting of two kinds of schools, firstly, schools at which a *mullah* who had been trained in the normal school used to teach the *koran sharif* and the three R's and those at which non-trained *mullahs* taught the *koran sharif* only and the number of pupils in those schools was put down as 2,256 boys and 313 girls ; and if one were to inquire into the state of female education, the information given is that in 1891 there was one girls' school, with 61 pupils, in 1903, three girls' schools with 170 pupils, in 1904, four girls' schools, with 240 pupils. Now, this was the state of things as we find existing in 1908 at the time of the publication of the *Imperial Gazetteer*. Looking at the latest administration report for 1938 one finds that there is a scheme sanctioned by the Government of India which was according to that report expected to be put in force from this year under which one intermediate college and two Anglo-Vernacular middle schools were to be established, while the existing state of things was that there were 91 primary schools with a total of 2,458 boys and primary schools for girls numbering five with 421 pupils. As to the intermediate college which was going to be established, I hope the Honourable Member speaking on behalf of Government will be able to tell us whether it has been established or not, but looking at the figures which I have been able to get I think the conclusion cannot be helped that education has made very poor progress during the sixty years of British occupation.

Now, about the general administration of the country, I have already said and I want to say it again that, really speaking, the entire administration is based on purely military considerations and the tone of the administration cannot help striking one as based entirely on distrust. The whole of the British Baluchistan appears to be over-run with spies ; everybody appears to be watched and everybody is afraid to speak his mind. I may give one personal instance. About six years ago, my own brother, who was His Britannic Majesty's Consul at Kandahar, invited me to meet him there. I travelled *via* Quetta. He came down all the way from Kandahar to receive me. Considering his official position, and the fact that he was a Khan Bahadur and is now an O.B.E., one may, I think, assume that he was a person to be trusted and, if his brother had been an undesirable man to be watched by spies, he would not have dared to invite him to meet him at Kandahar. Yet, what did I find ? As soon as I reached Quetta, I found that my brother had come there to receive me. When we were putting up at the house of a very respectable gentleman at Quetta, I found that every third man that met me was invariably a spy and during my return from Kandahar through Baluchistan I found that at every railway station there were persons coming to examine our passports and our tickets. Of course, I was travelling in the second class and not first class. When I told these men that my ticket as well as my passport had already been examined at such and such station, they very roughly said : " This has got to be

[Syed Ghulam Bhik Nairang.]

done at every station." Now, that is the kind of atmosphere that prevails in Baluchistan and we find that every public movement that is started in Baluchistan is simply put down. Anybody who wants to lead a movement of reform is looked upon as a rebel and steps are taken to get him into trouble. Of course, a good many instances of that kind could be given, but I think one need not enlarge on that point. I say that the facts which have come to our notice from time to time during the few public movements that were started in Baluchistan lead us to infer that the entire atmosphere prevailing in Baluchistan is one of distrust, one of autocracy, and the only remedy for putting the house in Baluchistan in order is that it should get the status of an autonomous province and it should have provincial autonomy on the same lines as has been established in other provinces of India.

I may submit that some years ago when the idea of granting reforms to the North-West Frontier Province was first put before Government, there was a lot of opposition from various quarters on various grounds. One ground which could be common to Baluchistan and the Frontier Province is that, like the Frontier Province, Baluchistan is also, after all, a Frontier Province, and frontiers, of course, have got certain peculiarities of their own and defence problems crop up at every step. So, Government cannot afford to ignore those problems and cannot treat those areas on exactly the same level as the rest of the provinces of India. I maintain that the experience of granting the reforms to the North-West Frontier Province and the granting of provincial autonomy to it later on under the present reforms is a point in favour of granting autonomy to Baluchistan as well. Whatever considerations apply to Baluchistan apply with equal force to the Frontier Province. If in spite of those considerations and with certain unavoidable safeguards enforced from the military and strategic point of view, provincial autonomy can be granted to Peshawar and Bannu, Dera Ismail Khan and Kohat, certainly provincial autonomy can also be granted to Baluchistan. I hope, therefore, the House will take a favourable view of this Resolution and the Government also will indicate their willingness to accept it. Sir, I move.

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

"That this Assembly recommends to the Governor General in Council to take immediate steps for the purpose of establishing Provincial Autonomy in Baluchistan on the same footing as in the other provinces."

Sir Muhammad Yamin Khan (Agra Division : Muhammadan Rural) : Sir, from 1921 up to 1932, we have been hearing debates on this issue and the issue of granting reforms to the North-West Frontier Province. We had known at that time that at a certain period there was even in this House a division of opinion and there was a great deal of difference between the two sections of the House on the question of the North-West Frontier Province itself. While there had been a constant demand from one side that the people of the Frontier Province were quite efficient to look after their own affairs and, therefore, they should be granted the Provincial Autonomy on the same lines as the other provinces of India, we found that the other side pressed that no autonomy should be given to the Frontier Province.

An Honourable Member : Which was the other side ?

Sir Muhammad Yamin Khan : The other side was composed of two sections, unfortunately. One was the Government and the other party was represented by some of the Indian section itself.

We debated this point at length and we tried to convince the Government that the Frontier Province was really next to none in India. Although education had made greater strides in other Provinces and the North-West Frontier Province was not on the same level at that time, we said that the people, if they were left to themselves, would be able to make a rapid progress and, therefore, the Provincial Autonomy for that province ought not to be delayed. That was what we pressed on the Government of India. Our point was that if the people of the Frontier Province were left alone, they will develop themselves very quickly because it is a homogeneous population. Our second point was that if the reforms were delayed for long, these people may entertain in their mind some kind of bitterness towards the Government. Of course, the reforms were delayed and delayed and they did not come too soon when they did come. Because of this delay, we find that even today many people have a bitter feeling against the British Government.

The real fact is that Baluchistan had been ignored when the other Provinces were enjoying some kind of right. I think a good case has been made out by Baluchistan Province also. I know and I fully realise that Baluchistan is not so well advanced as the North-West Frontier Province at the time when reforms were granted to the Frontier Province. Baluchistan has not reached a stage when without proper control and advice she could manage her own affairs. But with friendly treatment, the Baluchis can easily be handled and they will be a great asset for the protection of the Indian frontier. Things should not be delayed too long until some kind of agitation is created in the public mind. The Government should give reforms with good grace. If reforms are given at the proper time, the people would feel much obliged to the Government and they would feel that their rights were recognised by Government. You should not allow the people to snatch away reforms from the Government, although it is the real law of nature that nobody is willing to give unless it is snatched. It should not be so in this case. The problem of the North-West Frontier Province is quite different from Baluchistan. The Frontier Province is bordering some other elements which are boisterous and there is also the independent State of Afghanistan. Here, British Baluchistan is not so closely attached to any other big Asiatic State, except Persia. But there is much intervening territory between British Baluchistan and the Persian border which can easily be protected by small measures. They do not require the same kind of precaution as the North-West Frontier Province requires. I do not want to go into details of defence ; I will leave it to experts. I am talking about this only from the political point of view and that is that this Province deserves to be created an autonomous Province. Education is slowly spreading. The Government should come forward and remove the stigma that the Baluchis are backward people and that they could be treated in some way different from others. I have no experience of Baluchistan. I do not, therefore, know about the spying system. But as my Honourable friend, Syed Ghulam

[Sir Muhammad Yamin Khan.]

Bhik Nairang, said, this spying system may be prevalent. Some people may be more anxious to show their services even when they are not required. Of course these methods are really repugnant to those who visit Baluchistan from other provinces when they enjoy autonomy. I hope the Government will win over the people of Baluchistan to their side and not estrange them. Sir, I support the Resolution.

Mr. O. K. Caroe (Secretary, External Affairs Department) : Sir, in listening to the Honourable the Mover of the Resolution and to Sir Muhammad Yamin Khan, I was a little doubtful whether the scope of this Resolution is British Baluchistan alone or the whole of Baluchistan. Sir, Baluchistan is an area of very great contrasts, and it may possibly interest the House to hear of some of those contrasts. On the map, Baluchistan seems an obvious area for constituting as a Province in the Indian polity. It is as large as the Punjab, and it is as large as the United Provinces. But, Sir, representative institutions and provincial autonomy must be thought of in terms not of mountains, but of men, and in terms of human souls, and not of wastes. The population of the whole of Baluchistan is a little over eight lakhs, less than many districts in Northern India, and very much less than a district in Southern India. Of that population, about one half lives in the States of Kalat, Las Bela and Kharan, and these being Indian States, the House would agree to exclude these States from the scope of this Resolution.....

Syed Ghulam Bhik Nairang : They can federate.

Mr. O. K. Caroe : That, I think, is a different point.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House) : Does the Honourable Member, Syed Ghulam Bhik Nairang, mean that they should federate into a province ?

Mr. O. K. Caroe : So we may turn to that portion of Baluchistan which is administered in one form or another, and the population of that is about 4½ lakhs, that is about the population of a large sub-division. It is divided into three classes of territories. First, British Baluchistan which is a Chief Commissioner's province and the population of that is a little over one lakh, to be exact it is 1,36,000, a very small Tabail in terms of human souls. The second portion is the leased areas and the third portion is the tribal areas. The Honourable the Mover of the Resolution spoke of agency territories. Those territories are divided into two, that is areas leased from Kalat State and the tribal areas. I think it may be convenient if I treat these in reverse order and take the leased areas first. These areas are part of Kalat State territories and they include the town of Quetta itself. They are administered by the Crown Representative under treaties entered into with the Khan of Kalat from time to time. The juridical difficulties in the way of considering these leased areas for the purpose of provincial autonomy would be great. I might give an instance. The Judicial Commissioner of Sind has recently held that criminal process between the leased areas and British India can only be executed by invoking the Indian Extradition Act; an ordinary warrant will not run. That shows that these areas are definitely foreign.

We next come to the tribal areas. The tribal areas are on very much the same footing as the tribal areas of the North-West Frontier. I believe

it was Sir Yamin Khan who compared the Baluchistan problem with the North-West Frontier problem and he gave me the impression that what has been given to the North-West Frontier should without delay and for the same reasons be given to Baluchistan. Well, Sir, the difference is that the North-West Frontier settled districts of which the present province of the North-West Frontier Province is made up have been for 90 years part either of the Punjab or administered districts and in no place do they touch the international frontier. Beyond those districts lie the tribal areas of the North-West Frontier; and the tribal areas of Baluchistan have great resemblances with the tribal areas of the North-West Frontier. They are not fully administered; the law does not fully run. The procedure is a tribal procedure worked according to tribal custom. And for those reasons and also because they abut on an international frontier it would be impossible at present and difficult to foresee a future in which the Central Government could surrender their control and their responsibility to a Provincial Government.

Now, Sir, we are left with British Baluchistan which, as I said, is a Chief Commissioner's province and the population of which is about equivalent to a small tahsil. It is not easy to my mind,—I may be wrong,—to think of the establishment of an autonomous unit for a small tahsil. Apart from that we have to remember that there are other Chief Commissioners' provinces in India. The Government of India Act, deliberately and giving expression to the intention of Parliament, divided India into Governors' provinces and Chief Commissioners' provinces, and that was only four years ago. I find it difficult to think that it would be regarded as a view founded on due proportion and relation to the facts if it were suggested that this very small population should be set up into an autonomous Governor's province. There is to my mind an even more radical matter which is not juridical in the real sense. The Honourable the Mover of the Resolution has told us that Baluchistan is a terrible place, that it is full of spies and that the administration is based entirely on military necessities and considerations. It has been suggested that there is no freedom of speech and also that it is impossible for any party to raise its head without being suppressed. Well, Sir, I was recently in Baluchistan and there is more than one political party including a branch of the Muslim League which has recently been established in Baluchistan and has held meetings attended by as many as ten thousand persons in Quetta. I therefore think that it is not altogether a true picture that the Honourable the Mover of the Resolution suggested. But I should like to suggest for the consideration of the House that it is difficult to found modern western representative institutions on a base of tribal institutions. Baluchistan, as I said, is a land of contrasts. In Quetta one finds even after the earthquake civilisation and all the paraphernalia of administration.

Mr. Lalchand Navalrai (Sind : Non-Muhammadan Rural) : Why did you reconstruct it ?

Mr. O. K. Caroe : We reconstructed it, because, not only is it an important centre, but it is one of the chief holiday places of Northern India, and particularly of Sind. Those who like the highlands and the bracing air of Central Asia regard it as better than Kashmir,—“that other Eden, demi-Paradise.”

[Mr. O. K. Caroe.]

Sir, I was saying that it is difficult to construct a building of representative institutions on a foundation of tribal custom. The traveller who leaves the civilisation of Quetta may take a long stony road of 200 miles to Fort Sandeman where he will see a tree every 50 miles but he will almost certainly reach his destination quite safely. And why? Save in townships, there are no police in Baluchistan; law and order is maintained by the tribes themselves through their own leaders. The whole system of administration including that of criminal law is based on what the tribes themselves regard as a proper system. Crime is not punished in the same way as it is in India. The system is that instead of punishing the aggressor the aggrieved is recompensed; and the result has been in this tribal society that law and order on the whole is very well maintained and life is safe. Apart from that the tribal organisation through its *jirgahs* is taken into consultation at every step of the administration. Possibly the revenue administration affects the people as a whole more than any other part. The revenue administration of Baluchistan is in most places based on assessment in kind so that the people do not have to part with cash. The assessment is made from harvest to harvest in consultation with the *Maliks* of each revenue estate. The revenue officer goes to the village, inspects the crops, has a *jirgah* with the *Maliks* and he and the *Maliks* working together decide what is a fair demand in grain for that harvest. It is a system of cooperation and the result of it is that in no case that I have ever heard have there been any arrears of revenue; and that is saying a great deal and shows that the tribes are themselves taken into partnership in running the administration. Again the Arms Act is not fully enforced. I find it difficult to think of election meetings with men with rifles over their shoulders. The tribes are, I would try to convince the House, really running their own show. Is it fair or wise to break up that system and introduce full law and full administration with all the paraphernalia and all the rest of it in order at this stage to introduce a system of provincial autonomy as is known to the rest of India?

Another point is that most of the administered portion is inhabited by Pathans and not by Baluchis and should really be called Pathanistan.....

An Honourable Member: Which portion?

Mr. O. K. Caroe: Practically the whole of the administered area; that is all Baluchistan except Kalat State and Bugti and Marri country, it is Pathan country and not Baluch country, and is very much allied to the tribes further north. Among these manly people, upward movements are starting and should, we think, be encouraged as much in Baluchistan as elsewhere; but until these tribes wish to break down the tribal system and to substitute police for their own tribal levies and to see a full administration in force as in the rest of India and as in the settled districts of the North-West Frontier Province for 90 years, I think it is premature to consider provincial autonomy.

Much stress was laid by the Honourable the Mover on education. It has been difficult in the past, partly owing to the great distances. Any person who travels over the vast spaces of Baluchistan would realise this; it has been difficult to get children to school owing to this; and there have

been financial difficulties. The revenue of the province is 20 lakhs, its expenditure is one crore. But we have now worked out a scheme—of which I have not here myself the full details—for the reorganisation of education, spending about as much per capita as is being spent in other parts of centrally administered India ; and it should be remembered that much money has had to be expended in reconstructing schools laid waste by the earthquake. It has therefore been difficult for us to give as much attention to this all important factor in progress as could have been desired. The Educational Commissioner to the Government of India has been to Baluchistan and has produced a scheme, of which, as I say, I have not full details here, but which has made some real progress. Sir, I oppose the Resolution.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions : Muhammadan Rural) : Sir, we expected that there would be opposition from the Government side. All the arguments of the Government relate to population. The Honourable Member has admitted that there is already a sort of semi-autonomous rule of the tribes themselves there. When we know that the aim of the Congress Government is to establish panchayat system in the autonomous provinces in India and to realise rent from the tenants not in cash, but, if possible, in kind, we are justified in saying that there is now in Baluchistan a sort of autonomous government. To say that we must have a certain number of people as a criterion for autonomy and, therefore, to reject the scheme is, I submit, really fantastic.....

The Honourable Sir Muhammad Zafrullah Khan : The scheme is certainly fantastic.

Mr. Muhammad Azhar Ali : If you had in the past treated the population of Baluchistan on the same scale as the population in the other provinces, I am sure, you would have got enough people going from the other provinces there. But I am ready to say here and now that you have treated that portion as a no-man's land. That is the very reason why it has been kept as a military station and as a military area : the roads there are for military purposes. If the Government had treated the people on that side properly, they could very easily have included it in Sind. But for their own military purposes they have kept Baluchistan in the most dilapidated condition and now they say the conditions are bad and the people are bad, and so on. I am arguing on the same grounds as my friend, the Government spokesman, did. He says that the income is very small and is not enough to run an autonomous province. But it is a place where you could raise more money if you tried to work the mountains.....

The Honourable Sir Muhammad Zafrullah Khan : How do you work mountains ?

Mr. Muhammad Azhar Ali : By mining them for minerals, and so on. You say the revenue is small and the population is small, and, therefore, you cannot make it an autonomous province. My answer is, you can raise the revenue by other means. If the place is not treated as a military province, and if the same attention is paid to it as is paid to other provinces in India, Baluchistan could have raised the same amount of money as some of the other provinces : if not, at least there could have been

[Mr. Muhammad Ashar Ali.]

some subsidy from the Central Government. The fact remains that there is a tribal system there, and you could base your administration on that system and give the people there autonomous powers, and you could create a federation among those tribal areas. It is a matter of regret that nothing has been done though the British rule has been established there for sixty years now. Now, Sir, to come today before this House and say that in sixty years you have not been able to accomplish anything nor to civilize those people is hardly a credit to your administration. The Honourable Member said that it was only a holiday resort for the people of Sind. I submit, Sir, that if you had only improved the conditions in Baluchistan to attract people of other parts of India, that place would have flourished immensely and the revenue of that place would have also increased enormously. Even now if you start effecting improvements in the administration of that place, you will be able to make great headway to make the province of Baluchistan self-supporting. Unless you yourself try to educate the people of that place, unless you try to civilise them, unless you try to develop the industries that exist there already, how can you expect the people of Baluchistan to prosper and flourish? You can, of course, say that those people already enjoy a sort of tribal administration, but the fact remains that you have not done anything yourself to improve the condition of those people, but you have done everything to make it suitable for military purposes. Sir, I support the Resolution.

Mr. M. S. Aney (Berar : Non-Muhammadan) : Sir, whenever my friend, Syed Ghulam Bhik Nairang, comes forward with a proposal, I always regard it as one which requires our every serious consideration, but on this occasion I was surprised to find that he was sponsoring a motion of this kind. It may be due to the freaks of the ballot box ; the Resolution was probably not in his name originally, but it was in the name of some other Honourable Member, but my friend was also a signatory to it along with some other Members. It must not have been his own Resolution, but it was a Resolution which was thrust upon him by the freaks of the ballot box. That is my feeling. Anyway, it is always a very laudable desire of every one in this country to see that every inch of the ground in this land is autonomous. We have to look at the terms of the Resolution before us in order to understand what is exactly being demanded. It is this—it recommends to the Governor General in Council to take immediate steps for the purpose of establishing provincial autonomy in Baluchistan on the same footing as in other provinces. What is being demanded is the creation of a full fledged Governor's province in Baluchistan. That is the proposition before the House, and if the terms of the Resolution had been carefully considered by Mr. Ashar Ali, I believe many of his arguments would have been superfluous or meaningless. He wants to establish some kind of autonomous Government based upon the present tribal system which prevails in Baluchistan at present ; an autonomous Government just as it exists in other provinces in British India. The very foundations on which autonomous Provincial Governments are based in other provinces are wanting in Baluchistan, but he thinks that the tribal system of Government which prevails in Baluchistan can be taken as a basis for forming it into an autonomous province, on the same footing on which the British

Indian autonomous provinces are. I feel that the very arguments which my friend, Mr. Azhar Ali, put forward are sufficient to dispose of the proposition before the House. He sees the inherent difficulty of supporting the proposition on the data which are available to us.

My friend, Mr. Caroe, has placed before us some data, and is it conceivable that we can think of starting an autonomous province with the full fledged paraphernalia of a province in British Baluchistan, whose population, according to him, does not exceed $1\frac{1}{2}$ lakhs? The two grounds which have been advanced by my friend, Syed Ghulam Bhik Nairang, have to be considered, not because that they make out a case for an autonomous province, but because they show that something is wanting in the present administration of Baluchistan. For example, he has pointed out that very slow progress has been made there with regard to education. If that is so, a demand for a more rapid progress of education is perfectly justifiable without simultaneously making a demand for the establishment of an autonomous province. A demand for increasing the number of schools and bringing the standard of education to the same level as obtains in other provinces can very well be made, but for that you need not ask for full fledged autonomous province. Reference was also made to espionage which exists in that province. I regret it is a reflection on the administration. It is a point which the administration of Baluchistan should consider and see whether early steps should not be taken to abolish it. These are all grievances which undoubtedly deserve to be seriously considered and immediately removed, but they are not valid grounds for urging the immediate establishment of a full fledged autonomous province.

Now, Sir, the position is this. I have heard it for the first time that in Baluchistan there exists a form of tribal Government. We have been told that the revenue of the province is about 20 lakhs, while the expenditure on the administration is about a crore of rupees. If we can conceive of a Governor, his Ministers, his Secretariat, and all the paraphernalia of a full fledged province, I think the present expenditure of a crore would not only be not sufficient, but it would require another two or three crores more,—which is the minimum expenditure that one can think of. Of course, a very handy suggestion was made by one of my friends here that a subsidy could be given by the Centre. Sir, as one of those interested in the Central Revenues, I shall certainly protest against any more additional burdens being imposed on the Central Revenues at a time like this. Even if there is a case for the people of Baluchistan to demand provincial autonomy, if it involves an immediate payment of about two crores by the Centre by way of subsidy, I shall oppose the proposition. I submit this is not the proper time to bring forward a proposition of this kind before the House. The Central Revenues have already to meet enormous liabilities. These liabilities may mount up to several crores which it will be difficult for them to meet. Therefore, any proposition which would involve the Central Government in additional expenditure is not one which can be properly considered at a time like this. It is also inopportune in my opinion to bring in a proposition of this kind. My Honourable friend, Mr. Lalchand Navalrai, who has an intimate local knowledge of Sind and Baluchistan, because he is a close neighbour of Baluchistan, has informed me that the site on which the new Quetta City is being built is full of mosquitoes, and malaria is

[Mr. M. S. Aney.]

common there. It is in an insanitary state, and I do not think the prospect of being appointed as the Governor of a province like this with the prospect of catching malaria is desirable even from the point of view of the civil service.

Syed Ghulam Bhik Nairang : What about the poor Chief Commissioner ?

Mr. M. S. Aney : He is already there, but I believe the civil service, though it may be willing to have a multiplication of provinces, because it means so many new posts of Governors for them—even for them there is the danger of malaria.

Sir Muhammad Yamin Khan : We have heard that it is better than Kashmir.

Mr. M. S. Aney : Before any proposal of this kind is considered, I shall certainly require the Government of India to appoint a medical officer to go and examine the sanitary conditions of Quetta and its vicinity before Baluchistan is made into a separate autonomous province. My point is this. On financial grounds, on the ground of unpreparedness of the population, on the ground of existing system which is something very different from the foundations on which autonomous provinces are based—when we take all these things into consideration, and also the peculiar conditions under which we are discussing all these problems, I do not think that it is proper for us to commend this proposition for the favourable opinion of this House, and therefore, I have with great reluctance to oppose this Resolution.

Major Nawab Sir Ahmad Nawas Khan (Nominated Non-Official) : I rise to thank my Honourable friend, Mr. Nairang, for his good wishes for the Mussalmans of the province of Baluchistan.

Mr. Lalchand Navalrai : There are also Hindus there.

Major Nawab Sir Ahmad Nawas Khan : I know very well that he is very sympathetic to all the national, communal proposals and the cause of Mussalmans, and with this intention he wishes.....

Syed Ghulam Bhik Nairang : May I rise to protest against the communal construction which is being put on my Resolution ? It is a mis-construction.

Major Nawab Sir Ahmad Nawas Khan : I did not mean, I withdraw for the sake of his pleasure, but when one wishes to support one's community, it means in other words communal. Can he say on the floor of this House that he is not a great supporter of Mussalmans and Islam ? I wait for a reply. (Sits down.)

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member may go on with his speech.

Syed Ghulam Bhik Nairang : If the Honourable Member has got nothing relevant to say, let him not import into my Resolution what is not contemplated by it.

Major Nawab Sir Ahmad Nawas Khan : My chief aim is really to thank that gentleman for his good wishes. His chief object is to do good to that province and its inhabitants—the Mussalmans, Hindus and

Sikhs of that place. But if he will go with me and enquire from the people of the rural areas, they will say, God save us from Mr. Nairang and his proposal. It is only in the City of Quetta and other cities where foreigners, the Punjabis, people from the frontier province, from Sind, and lawyers and others go—it is just like a city of lashkar. They want only for their own purposes and benefit—that they will become influential and respectable like the Khan of Kalat or other chieftain of the tribes, by the introduction of Reforms and Provincial Autonomy.

An Honourable Member : Have you been to Baluchistan ?

Major Nawab Sir Ahmad Nawaz Khan : I have been, and I tell you one thing. If you see the old records, you will find with Sir Henry McMahon's Commission, my real uncle, Khan Bahadur Haq Nawaz Khan Saddazai, C.I.E., and my other uncle, Khan Bahadur Haji Ahmad Yar Khan with Sir Robert Sandeman entered in Baluchistan. From Dera Ismail Khan we sent about a dozen people when Baluchistan was taken, and up till now there are about a dozen of my relations.

An Honourable Member : We do not want all this pedigree.

Major Nawab Sir Ahmad Nawaz Khan : My object in saying all that is that I know the province very well. I have been there many times. Please do not interrupt me. I am not a new Member to be harassed by interruption, but, it will be a waste of time. There should not be petty interruptions. I am quite ready if you ask me any questions for the sake of information, but leave all those jokes and other remarks for which I have no regard.

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member need not listen to remarks made across the House.

Major Nawab Sir Ahmad Nawaz Khan : The real point is whether autonomy or tribal form is suited to the people and useful to them. The present form of administration of the tribe is useful, both from the religious as well as the political point of view, and they do not require any change. If you ask the villagers or their chiefs, they will tell you that they do not want any change or any law even of the British Government which is applicable in the Punjab or any other province. You have seen many times in this House that Muslim Members have tabled motions for adjournment or Resolutions for the tribal area of the North-West Frontier Province. If you go now to the North-West Frontier and ask the tribal people whether they wish to be under autonomous Government of the very same province, they will refuse, and anybody who can go into Waziristan and ask them whether they would want their own tribal law or provincial autonomy, they will not accept the views of the Honourable Member.

An Honourable Member : You have asked the Waziristan people ?

Major Nawab Sir Ahmad Nawaz Khan : They do not like the form of British rule, and Muslim Members of this House have many times objected to this form of civilised forward policy of the Government, which means to keep Waziristan altogether independent. Then, why do the Honourable Muslim Members want the Baluchistan tribal area to be under an autonomous Government ?

Sir Muhammad Yamin Khan : We are talking of Baluchistan and not of Waziristan.

Major Nawab Sir Ahmad Nawaz Khan : Waziristan and Baluchistan are on the same footing.

Syed Ghulam Bhik Nairang : We have never talked about the tribal area of Baluchistan.

Major Nawab Sir Ahmad Nawaz Khan : They are quite happy, contented under their own chiefs, they do not want any change, or any new system, and to press upon them any new form would be against their own wishes. As regards education, if anybody goes into the villages, he will find that the population is so thin and so poor that they cannot come to any central school. In Baluchistan, if you open schools, the first difficulty would be how to bring the boys together for the sake of education. The villages are apart from one another for 10, 15, 30 miles, and there are no roads or any other convenience, and how can you get the boys together ? Then, if you go to the poor people and advise them to send their children to the school, their first question will be, who will look after their household affairs ?

In Dera Ismail Khan, my house is only 200 yards from the Islamic High School. I sent two boys of my servants for the sake of education. I am giving you an instance. I paid from my pocket all the expenses. One boy was plucked in B.A. and another refused education, after passing the primary school. Now, the question comes about employment. For the failed B.A. I tried in Delhi in several offices. He got no employment and they said that there is no room for a new-comer. I failed to get him employment and finally appointed him a clerk in my private office on Rs. 30 and the other boy learnt mechanics. He is in Government employment on Rs. 115. Really you require some other kind of education than that which is given in these schools. In tribal areas and in rural areas, the people are quite against such education which is equivalent to starvation. They require industrial education, they require agricultural education and professional education. Another thing is that they want to be religious minded and not to go in for these fashionable things. Therefore, I say that though this Resolution is based on a sympathetic feeling, but, in effect, it will be most harmful to the people of Baluchistan, if you change their form of Government. Therefore, I oppose this Resolution in the interest of the people.

Maulvi Syed Murtuza Sahib Bahadur (South Madras : Muhammadan) : Sir, I had anticipated some opposition by the Government and the Leader of the Congress Nationalist Party, as was done by Pandit Malaviyaji 15 years ago, when I moved a Resolution on the introduction of reforms in the North-West Frontier Province. So far as these two gentlemen, the Foreign Secretary and Mr. Aney are concerned, opposition was already anticipated ; but as regards my friend, Major Nawab Sir Ahmad Nawaz Khan, I want to address him, through you, a Persian couplet :

" Man as begonagon hargis nanalem

ke damun her chai kard an ashna kard."

It has been beautifully translated by a Urdu poet who said :

“ *Thostounsay isqadar sadmay huway hin jan pur
Dilse thushman ki advat ka gila jata raha.* ”

Major Nawab Sir Ahmad Nawaz Khan : You had better translate : “ *Alhaqqo murrin walau kana durrin* ” means “ Truth often seems to many persons bitter and unpleasant though it may be beautiful and valuable as a precious pearl ”.

Maulvi Syed Murtuza Sahib Bahadur : All these gentlemen have based their arguments mostly on the numerical strength of Baluchistan. Let me ask them whether they know the numerical strength of the province of Coorg in Southern India. The Honourable the Foreign Secretary is alive to that fact, but I do not know if the other Members who belong to the northern parts of India know it. Sir, Coorg has got a very poor population, and yet it has a Council of its own with the Chief Commissioner as its resident—a fact which cannot be gainsaid by anybody. What justification is there in denying this to the people of Baluchistan ?

Mr. M. S. Aney : It is not demanded.

Maulvi Syed Murtuza Sahib Bahadur : I say it is demanded, with the head of the Administration who will be either a Governor or a Chief Commissioner. That is what is meant by the Resolution if Mr. Aney will go through it minutely. The first opposer, the Foreign Secretary, made out a very strong case in favour of the motion itself. He said that there are many things there with which the people of Baluchistan are quite satisfied and that they are all right so far as the *girga* system, the revenue collection and other matters are concerned, and that they run their own show. May I ask him and the Government whether they are satisfied with that show ? If so, will they give the *panchayat* system to all the provinces ? Will they tolerate the *girga* system in the whole of India ?

Major Nawab Sir Ahmad Nawaz Khan : Yes.

Maulvi Syed Murtuza Sahib Bahadur : The Honourable Member says “ yes ”. So far as the Government are concerned, he is a non-entity. He may be a Knight, a Nawab and a Major, but he is a non-entity so far as Government representation is concerned. I put this point to the Government. The fact that the Educational Commissioner had been to Quetta and he has formulated some scheme to promote education in Baluchistan goes to strengthen our case. Our Major friend (*An Honourable Member :* “ He is a minor ”)—so far as this question is concerned, he is a minor. I am quite prepared to go with the Nawab Sahib to Quetta to institute an inquiry as to whether those people want these reforms or not. I may say for the information of the House that I had been to Baluchistan and I stayed there for some days. I inquired into this question. Though there is an espionage system there, as has been pointed out by the Deputy Leader of our Party, many of them came forward and said that they would welcome the introduction of reforms there.

Major Nawab Sir Ahmad Nawaz Khan : I ask you about the rural area and not the City of Quetta.

Maulvi Syed Murtaza Sahib Bahadur : Let him take the trouble to go with me to any part of Baluchistan, urban or rural.

Major Nawab Sir Ahmad Nawas Khan : I am quite ready.

An Honourable Member : At whose expense ?

Maulvi Syed Murtaza Sahib Bahadur : At our expense.

Then, my friend, Mr. Aney, said that perhaps our Deputy Leader was placed in a very awkward position and that this Resolution did not seem to him to be his own choice. Sir, I may point out to my Honourable friend, and to the House that this Resolution is being moved year after year from the platform of the Muslim League. While that is so, nobody can say that there is no demand from the Muslim League regarding the reforms sought for. My friend, the Deputy Leader of the Muslim League Party, is much interested in this, not only because the Muslim League is interested, not only because the Muslim interest is at stake, but also because this would conduce to the interest of other communities as well. So, Sir, it is a very strong case, and I should yet like to know from the Foreign Secretary or any other representative of the Government as to why they draw some line of analogy between the North-West Frontier Province and Baluchistan, and not between Baluchistan and Coorg. Sir, Coorg happens to be a smaller province than Baluchistan, but yet we are having a Council and an autonomous Government there (*Mr. M. S. Aney* : "No, not an autonomous Government"); yes, though not an autonomous, yet almost an autonomous Government. Sir, as regards the question of subsidy, this is a question which was strongly stressed by my Honourable friend, Mr. Aney. When crores of rupees are being spent in Baluchistan itself, cannot the Central Government spare a few (*An Honourable Member from the Government Benches* : "crores"), yes, I say crores. In the interests of administration, cannot the Government pay something more, and, at the same time, curtail their military expenditure there ? Sir, if the Honourable Member confines his remark to one point alone, as he has already said, that the motion is inopportune, then it is all right ; let the Government say : "Of course, we do accept this point ; let it be put off till the financial condition improves and the present international crisis is over" ; let them say so, and then we will be quite satisfied. Does my friend take his stand on that point that this is inopportune, that after this crisis is over, his Party will support it ? In that case, we will be satisfied. With these few remarks, I resume my seat.

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.

The Honourable Sir Muhammad Zafrullah Khan : Sir, those Honourable Members who have during the course of the debate spoken in support of the Resolution have said very little concerning the constitutional aspect of the question though one should have imagined that the Resolution concerned itself mainly with the constitutional status of Baluchi-

stan. The Honourable the Mover of the Resolution drew attention to the backward state of Baluchistan, particularly in the matter of education. Certain other references were also made to the backward state of Baluchistan. That has really nothing to do directly with the question of its constitutional status. That is very largely due to its geographical situation, the character of the country and the ways and customs of its very sparse population. These factors which I have mentioned are matters which nobody can change, and if any change has to be brought about with respect to these matters, it must be very very gradual indeed. Apart from that, however, if it is true that in certain respects Baluchistan is backward, for instance, with regard to education, then I have perfect sympathy with what has been said with regard to that aspect of the matter. I do not see any reason why, due allowance being made for the peculiar problems of Baluchistan, Baluchistan in these matters should not progress at the same rate as other Centrally Administered Areas. But, as I have said, this really has very little to do directly with the constitutional question. Even on the constitutional question there has been a good deal of confusion even among the Members of the Party that has sponsored this Resolution as was exhibited in the speech of Syed Murtuza Sahib Bahadur. He said that it was contended that the population of Baluchistan is only a few lakhs. As a matter of fact, the population of British Baluchistan is only a lakh and one-third. But the population of Coorg is not very large and Coorg has a Legislative Assembly and that, according to the Honourable Member, concluded the matter. Now, Sir, if that is what the Mover of the Resolution and the supporters of the Resolution are pressing upon Government, there is very little difference between their point of view and the point of view of Government. Details apart, the constitutional status of Coorg and Baluchistan is the same. There is no difference between the two. And if the object of the Resolution is to obtain for Baluchistan the same constitutional status as is enjoyed by Coorg, the Resolution is entirely unnecessary. Coorg is a Chief Commissioner's province. The Government of India Act visualises two kinds of provinces within British India; the Governors' Provinces and the Chief Commissioners' Provinces.

Mr. M. S. Aney : And also scheduled areas.

The Honourable Sir Muhammad Zafrullah Khan : And also excluded areas. The main distinction between the Governors' Provinces and the Chief Commissioners' Provinces is that the Governors' Provinces have been constituted into autonomous units, and this has two aspects. In the first place, within defined limits, Governors' Provinces are autonomous in the sense that they are no longer subject to the same control from the Centre as they were before the new constitution was brought into operation. In the second place, inside the Province, the Executive is responsible, again subject to certain special powers and safeguards, to the Legislature. When I looked at this Resolution, I conceived that the recommendation which was sought to be made in this Resolution to Government was that Baluchistan should be set up as an autonomous province like one of the other provinces. On the other hand, the Chief Commissioners' Provinces are administered under the new constitution by the Governor General. It so happens that Coorg is a Chief Commissioner's Province just the same as British Baluchistan is. In this con-

[Sir Muhammad Zafrullah Khan.]

nection, I may draw the attention of the Honourable Members to section 94 of the Government of India Act, which runs thus :

“(1) The following shall be the Chief Commissioners' Provinces, that is to say, the heretofore existing Chief Commissioners' Provinces of British Baluchistan, Delhi, Ajmer-Merwara, Coorg and the Andaman and Nicobar Islands, the area known as Panth Piploda, and such other Chief Commissioners' Provinces as may be created under this Act.”

Sub-section (3) says :

“A Chief Commissioner's Province shall be administered by the Governor General acting, to such extent as he thinks fit, through a Chief Commissioner to be appointed by him in his discretion.”

In that respect there is no difference between Coorg and British Baluchistan.

Now, let me revert to the larger proposition which, I think, is the real object of the Resolution, namely, that Baluchistan, and by that I suppose is meant British Baluchistan because, after all, the States of Kalat, Las Bela and Kharan cannot be worked into the scheme of a British Indian autonomous province—should be constituted into an autonomous province like one of the Governors' Provinces in British India. Confining our attention purely to the constitutional aspect of the matter, I suppose what is really meant is that there should be a provincial executive responsible, subject, as I have said, to what are commonly known as safeguards or special powers, to an elected Legislature and that the Province should cease to be governed or administered from the Centre and should have its own autonomous Government like the other Provinces. Let us look at the practical picture which Baluchistan would present under those conditions or rather if an attempt were made to introduce those conditions into Baluchistan.

First, let us take the setting up of the Legislature. Now, it is no use saying, as one Honourable Member said, that the Foreign Secretary has talked only of population, but what does population matter? Population matters a great deal for the reason that you cannot set up a constitution unless there is some population which can be welded into an autonomous unit. The population of British Baluchistan is 1,36,000. Let us try to make an attempt to divide it into constituencies and set up a Legislature on that basis and see what the actual working picture of such a Legislature will be. We must remember this distinction between Coorg and Baluchistan that, though the population of Coorg may be small—it is much larger than that of British Baluchistan,—Coorg has a very small area. Its population is living within a very small compass so that it could at least set up some sort of municipal administration. The population of British Baluchistan is scattered over a very large area. Half of it would be male population and half of that again, adult male population, roughly between 32 or 33 thousand, adult male population. Supposing the franchise were as low as in the most favourable parts of British India, you would then have every other male adult possessing a vote. That would give you 16,000 voters. Now, Sir, to set up even a toy legislature, you would require 40 Members in it.

An Honourable Member: What about women voters?

The Honourable Sir Muhammad Zafrullah Khan : If they attempted to go to the polls they would be cut to pieces by their husbands. Surely, it is not desired that that should happen. That means 40 constituencies of 400 voters each. But even that would be no insuperable difficulty if it were not that these 400 voters would probably be found scattered over an area of 800 square miles. Under those conditions it would be absolutely impossible to hold elections.

Now, let us look at another aspect. It is said that there is the *jirga* or tribal system already there, and in its place you can have an autonomous Government. You must have two Chambers of the Legislature in Baluchistan, for the reason that the tribal chiefs would not like to sit with those people who have been elected by their tribesmen. Owing to the tribal system you must have a separate chamber for the chiefs. That, I concede will be easily constituted. There would be no difficulty whatsoever about that. You can say any tribal chief who owned so much property or who paid so much land revenue, or who satisfied some other criterion, would be a Member of the Upper Chamber. That is all right. But the difficulty would be the Lower Chamber. I venture to submit that in Baluchistan, you cannot have an election of the kind to which people are accustomed here, to which you can apply the name of election, by even a very far-fetched use of that expression. And for this reason : you ask any Baluchi, " what is your religion ". He says, " ask my Chief ". If even his religion is regulated by the whims of his Chief, surely his vote is not going to be cast in any independent way. Somebody will be nominated in the constituency by the Chief and that somebody must be returned because that is the tribal code. What is the use of setting up something which will merely be a camouflage of the present *jirga* system or the tribal system and which would not work half as well as this system is working simply in order that you might be able to say, there is an autonomous Government set up in British Baluchistan ? When we talk of British Baluchistan, let us not forget this, that in most places the idea of British Baluchistan is derived from Quetta. Quetta is a leased area and is not British Baluchistan. Besides, it would be as wrong to come to any conclusion with regard to the rest of British Baluchistan from the conditions obtaining in Quetta as it would be to come to some conclusion with regard to Spitti and Lahul, the excluded areas of the Punjab, by paying a visit to Lahore. I should recommend to such Honourable Members who are interested in the question at least to take an extremely interesting trip, which would show them something of the conditions prevailing in Baluchistan ; let us say from Dera Ghazi Khan to Fort Munro, then on to Loralai, and thence to Quetta and on to Kalat, ending up at Pasni, about 800 miles.

Sir Muhammad Yamin Khan : Who will guarantee our life ?

The Honourable Sir Muhammad Zafrullah Khan : Those who think that this area is fit to become an autonomous British Indian Province. But as a matter of fact there is no danger to life. The conditions in these tracts are perfectly peaceful, but such Honourable Members who take that trip would travel miles upon miles before they meet a human being or even a couple of camels. The real facts of the situation are these. When you look at it from the point of view of population, the number of people and the manner in which they are scattered all over an

[Sir Muhammad Zafullah Khan.]

impassable mountainous country with very little in the way of communications and revenue, it is no use saying you can run the country as an autonomous province. British Baluchistan with its vast arid areas and with a population of only 1,36,000 all told, with very little in the way of revenue, is certainly not ripe and will not be so within any foreseeable period of time to have any kind of administration different from the singularly effective *jirga* system of administration that it enjoys at present. I have complete sympathy with what has been said with regard to the conditions in Baluchistan and any kind of amelioration that is possible should certainly be effected. I have also sympathy with the Resolution, as a mere gesture. We have been told that it is brought up before a certain political organisation every year and, therefore, I suppose it was conceived to be the duty of Members who owe allegiance to that political organisation to move it here also. But the gesture having been made, it would be wise to withdraw the Resolution.

Maulvi Muhammad Abdul Ghani (Tirhut Division : Muhammadan) : Sir, I do not like to take up much of the time of the House, especially because I am not so eloquent as the Honourable the Leader of the House. What I have been able to make out from the opposition to this Resolution is this. The first point is that regard should be had to the population. The Foreign Secretary as well as the Leader of the House dwelt at length upon this. I submit, Sir, that when a Resolution about the introduction of reforms into the North-West Frontier Province was moved in this House, similar arguments were advanced and similar opposition was raised and the Resolution was not supported by the Government and so the present opposition is not a novel thing. (Interruption.) I will come to that presently. The British Government have recognised that a small tract of hilly country like Sikkim with a population of about one lakh nine thousand and with an area of 2,818 sq. miles can be made into an independent State with British Protectorate. Again what about Ulster? It has a population of only about two lakhs 80 thousand. The British Government gave Home Rule to Ireland until a man like MacSweeney came forward to give up his life and then the British Government recognised the might of the feeling and did the right thing, but encouraged Ulster against Ireland and ultimately separated Ulster from Ireland. Why? Ulster has hardly an area of more than 3 or 4 square miles. The Baluchistan people can do much more than MacSweeney did and can sacrifice their lives in a moment. They are martial people. Sometimes importance is attached to numerical strength of population and sometimes to martial spirit. These people of Baluchistan do not stand on the same footing as people of other Provinces; you yourselves attach more importance to them. Ceylon with a population of 53 lakhs has its own Government while India with seventy times more population has not got it. Therefore, to compare one area with another is not at all relevant. As regards the financial aspect it is said that more money will be wanted. About a crore of rupees is spent there, but Government is run there on prizes and subsidies and by purchasing the people. You will find in the budget that lakhs and lakhs are being paid to the Khan of Kalat and others to help the British. Why not make the people themselves responsible for the Government? After half a century of British rule what is the

state of things there ? There are 7,372 pupils in 109 schools, i.e., 8 per cent. of the whole population. Regarding public health more than a lakh of people were victims of malaria in 1937 although there were medical officers imported from England. There are five district dispensaries all full of British medical officers and no Indian doctor can go there, rather Sarbadi Pathans are serving in Delhi as doctors. The administration is top-heavy and there are 15 high officials, all Europeans. In these days the ministers are working on Rs. 500/- a month and their administration is appreciated even by the British Parliament. Is it not possible to have local officers there on Rs. 500 or less ? Surely, you can do it and you should cut your coat according to your cloth. Even if a few thousand more is required for the Province to become autonomous it should not be grudged as crores of rupees is wasted over Railways. It is wrong to say that the people there do not like their own administration. Before 1887 they had their own rule for thousands of years. (Interruption from Major Sir Ahmad Nawaz Khan.) I will deal with you later. For a country which had its own rule for centuries together, it is hardly reasonable to deny them their own administration. Divide and rule policy cannot go on long.

Sir, my Honourable friend, Mr. Aney, opposed the Resolution and said that this is not the opportune moment. I may tell him that this thing was discussed in the Round Table Conference in 1930-32 and from the report of the second session in 1931, I find that a memorandum was submitted by the Congress through Mr. Gandhi and another memorandum was submitted by Dr. B. S. Moonjee on behalf of the Hindu Mahasabha. The latter forms part of the proceedings as Appendix VI of the second session of the Round Table Conference. It says :

“ Regarding the introduction of reforms in the North-West Frontier Province and Baluchistan on the same footing as in other provinces, the Hindu Mahasabha have in principle no objection. But it considers it an impracticable proposition for the immediate future. The Hindu Mahasabha therefore proposes that immediate steps be taken to secure to this province with as little delay as possible the benefits of a regular system of administration, both judicial and executive, so that the province may be prepared for the reformed constitution.”

I do not know when that time will come for my Honourable friend, Mr. Aney. The Resolution does not press for the introduction of Provincial Autonomy at once, but only for steps to be taken.

Then the memorandum submitted by Mr. Gandhi on behalf of the Congress says in Art. 6, Appendix I, R. T. C. (Second Session) Proceeding, 8th October, 1931 :

“ The North-West Frontier Province and Baluchistan shall have the same form of Government and administration as other provinces.”

So, although the Resolution stands in the name of one or two Members the matter has been agitated for quite a long time. The proceedings of the Round Table Conference are there.

It was said that the Honourable the Mover himself was not willing to move the Resolution, but he was forced to move it as the ballot stood in his name. That is

3 P.M.

not fact.

I want to close my speech with a few observations to my learned friend holding the gallant position of Major Nawab Sir Ahmad Nawaz Khan . . .

Mr. Deputy President (Mr. Akhil Chandra Datta) : The Honourable Member has got two minutes more.

Maulvi Muhammad Abdul Ghani : He says that it is very difficult in a territory like Baluchistan to go to school for miles together and the buses cannot travel there. He is a Major and at the same time he is a big Nawab also. But it seems to me that his militarism has been waning. In my infancy I used to walk five miles to attend school and five miles back again or a total of ten miles daily when I was nine years old. The Nawab Sahib belonging to a martial race says it is very difficult to walk a few miles from one place to another. Sons of military people, Baluchis and others should not find it difficult. He is now in Simla. Has he ever opened his eyes to see the conditions prevailing here? Are not infants of seven and eight years walking miles together up and down the hills to attend schools in hilly places here?

Once there were two boys going to a certain school, one with his eyes open and the other with eyes closed. When their tutor began to put questions, the boy who was going on the way seeing things was able to narrate what he saw, while the other failed to answer any question. That is the case with the Nawab Sahib. I am not a nominated brief-holder like the Honourable Nawab.

Mr. Deputy President (Mr. Akhil Chandra Datta) : Syed Ghulam Bhik Nairang.

Major Nawab Sir Ahmad Nawaz Khan : On a point of personal explanation.....

Mr. Deputy President (Mr. Akhil Chandra Datta) : The Chair has called upon Syed Ghulam Bhik Nairang. The Honourable Member has already spoken. He cannot make a second speech.

Major Nawab Sir Ahmad Nawaz Khan : On a point of personal explanation.....

Mr. Deputy President (Mr. Akhil Chandra Datta) : If he gives way....

Syed Ghulam Bhik Nairang : Sir, the two speeches made by responsible official Members from the Government Benches, I mean the Honourable the Foreign Secretary and the Honourable the Leader of the House, dealt with the question in a much more serious spirit than it was approached by my very much respected friend, Major Nawab Sir Ahmad Nawaz Khan. I do not know whether I should succumb to the temptation of dealing with the extremely humorous and humour-inspiring speech of the Nawab Sahib or deal with the more serious aspects of the question as discussed by the two Honourable Members of the Government. But it so happens that if we analyse the two more serious speeches and compare them with whatever substance there might possibly be in the humorous speech, the question really boils down to practically the same thing. The Honourable the Foreign Secretary and the Honourable the Leader of the House have told us really that the case of Baluchistan for autonomy is hopeless. Why? Because, in the first place, there is such a small population, secondly, there is such a small area....

Mr. O. K. Caroe :such a large area : that is the trouble !

Syed Ghulam Bhik Nairang : All right : such a large area for such a small population--the contrast being between the population and the area.—thirdly, there is so little education, and fourthly, there is a practical absence of all finance.

Now, both these Honourable Members have noted in the course of their speeches that I emphasised the aspect of education more than any other thing, and I did so intentionally. I was really referring to the net result of sixty years of British administration over this area, in the most vital of all things so far as human consciousness is concerned. Education is the seed of all consciousness, political, moral and other, and of human conduct, and I was, therefore, emphasising, particularly, the lack of education in this province, and I think if the present rate of progress in the matter of education is maintained, the Central Government will be eternally in a position to defeat every attempt on the part of anybody to see that provincial autonomy is granted to Baluchistan on the plea that this tract is not inhabited by human beings at all—what goes for human beings are so many bipeds without anything in their heads, no education, no intelligence, no consciousness of anything high, no capacity to use their votes, no religion either, because even when they are asked about their religion they say “ Ask my Chief ”. It may be all right for the present but it should give food for serious reflection to the Government of India which is administering that area. Why should this tract on God’s earth be inhabited by people who have so little sense in their heads ? Why should sixty years have been simply wasted without giving these people an opportunity to qualify for thinking and judging for themselves as to what their religion is and what their political opinion is ? It is a condemnation of the system of administration that is prevailing in this country. (Interruption.) I excuse the Honourable Member. He made the most damaging confession on the floor of this House when he said that he had failed to educate even his two little kids even though the school was so near his house....

Major Nawab Sir Ahmad Nawaz Khan : I never said it. His memory is so bad....

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

Syed Ghulam Bhik Nairang : I think my Honourable friend can very safely say : “ Where ignorance is bliss, it is folly to be wise. Let the people of Baluchistan remain ignorant as my sons have remained ignorant.”

Major Nawab Sir Ahmad Nawaz Khan : My son is a barrister-at-law and an Advocate of the Federal Court of India.

Syed Ghulam Bhik Nairang : I admit that there are some difficulties for the time being about the immediate grant of provincial autonomy in Baluchistan. But, unfortunately, I see no indication in the two responsible speeches made on behalf of Government of any desire to improve the lot of humanity in Baluchistan. If there had been a ray of hope in that direction, one might have thought “ Well, if not today, tomorrow or a little later this sort of thing will come : let us wait and work and hope ”. But there is no indication of that. I think, Sir, the very spirit in which this area is being administered is this—let the tribal customs, let the tribal ignorance continue, let these benighted

[Syed Ghulam Bhik Nairang.]

people continue to remain in the dark as hitherto ; let us for certain purposes impart a little education to them so that we may be able to tell the world that we are doing all we can with the poor material that is available to help them, because these people are averse to go to school, they are reluctant to move out of their houses, they will not leave their vocations, their sheep and their camels, and, therefore, with their lack of education, there is no hope of developing in them any political consciousness. This is exactly the spirit in which Baluchistan has been and is still administered. People desiring progress have always, as I have already submitted, been treated as rebels, agitators and mischief-mongers, so that we have to rest content with the present lot of Baluchistan. Sir, I submit the Resolution I have placed before the House is a very modest one and sufficiently circumspect. It calls upon the Governor General in Council to take immediate steps for the purpose of establishing Provincial Autonomy. It does not call upon the Government to establish Provincial Autonomy from tomorrow. If we see any effort on the part of the Government of India to bring about a state of things which may create the necessary material for the establishment of Provincial Autonomy, we can, as I have already said, work and hope and wait, but if that spirit is lacking, then we must say that even if you throw out our demand today, we are determined to press it again and again. It is not that we have thought of this problem today, as was pointed out by my Honourable friend, Maulvi Abdul Ghani ; other political leaders and associations have also thought of it, and, as far as the Muslim League is concerned, we have placed this demand on our programme since 1927. This has formed one of the 14 points of Mr. Jinnah, and we are determined to go on pressing our demand and to take all necessary steps to enforce it ; you may concede it today or you may concede it tomorrow.

As for my Honourable friend, Mr. Aney's opposition, that really surprised me. I did not expect that he would advance the arguments which he did, and that the history of opposition to the demand for Provincial Autonomy in the North-West Frontier Province would repeat itself in regard to the Resolution on Baluchistan. Anyhow, it is the unexpected that happens. Mr. Aney and his Party have thought fit to oppose this Resolution, and I cannot help the situation. With these few remarks, Sir, although it may amount to hoping against hope, I once more appeal to the Government Benches to agree to this very modest Resolution.

Mr. Deputy President (Mr. Akhil Chandra Datta) : The question is :

“ That this Assembly recommends to the Governor General in Council to take immediate steps for the purpose of establishing provincial autonomy in Baluchistan on the same footing as in other provinces.”

The Assembly divided :

AYES—11.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Fazl-i-Haq Piracha, Khan Bahadur Shaikh.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Habibur Rahman, Dr.

Ismail Khan, Haji Chaudhury Muhammad.
Murtuza Sahib Bahadur, Maulvi Syed.
Nauman, Mr. Muhammad.
Umar Aly Shah, Mr.
Yamin Khan, Sir Muhammad.

NOES—40.

Abdul Hamid, Khan Bahadur Sir.	Kushalpal Singh, Raja Bahadur.
Ahmad Nawaz Khan, Major Nawab Sir.	Mackeown, Mr. J. A.
Aiyar, Mr. T. S. Sankara.	Maitra, Pandit Lakahmi Kanta.
Aney, Mr. M. S.	Miller, Mr. C. C.
Bewoor, Sir Gurunath.	Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
Bhundarkar, Mr. K. Y.	Mukerji, Mr. Basanta Kumar.
Bozman, Mr. G. S.	Nehru, Mr. B. K.
Campbell, Mr. D. C.	Parma Nand, Bhai.
Caroe, Mr. O. K.	Raisman, The Honourable Sir Jeremy.
Clow, The Honourable Sir Andrew.	Roughton, Mr. N. J.
Crofton, Mr. D. H.	Scott, Mr. J. Ramsay.
Dalal, Dr. R. D.	Sheehy, Mr. J. F.
Dalpat Singh, Sardar Bahadur Captain.	Sher Muhammad Khan, Captain Sardar Sir.
Gorwala, Mr. A. D.	Som, Mr. Suryya Kumar.
Greer, Mr. B. E. T.	Spence, Sir George.
Hodson, Mr. D. C.	Sukthankar, Mr. Y. N.
Jawahar Singh, Sardar Bahadur Sardar Sir.	Talukdar, Mr. J. N.
Kamaluddin Ahmed, Shams-ul-Ulema.	Thorne, The Honourable Mr. J. A.
Khaleeli, Mr. A.	Zafarullah Khan, The Honourable Sir Muhammad.
Khan, Mr. N. M.	
Khurshaid Muhammad, Khan Bahadur Shaikh.	

The motion was negatived.

RESOLUTION *RE* PAYMENT OF COMPENSATION TO THE BENGAL
PROVINCIAL RAILWAY BY THE EAST INDIAN RAILWAY.

Mr. Suryya Kumar Som (Dacca Division : Non-Muhammadan Rural) : Sir, I beg to move :

“ That this Assembly recommends to the Governor General in Council to advise the Railway Board to reconsider the payment of Rs. 11,000 as compensation to the Bengal Provincial Railway and to increase the amount of this compensation to a figure which will bear to the present income of the East Indian Railway from the two stations of Belmuri and Gurup on the Howrah-Burdwan Chord the same basis of percentage which the amount of Rs. 11,000 bore to the income from these two stations when the amount was first granted.”

The facts of this case have a long history. I have put them to the Honourable Sir Andrew Clow and had a long talk with him. I requested him to see the papers himself and do justice, and he has given an assurance that he will look into the papers and do such justice as he thinks proper. In the circumstances, I do not want to press this Resolution. Still I move it.

Mr. Deputy President (Mr. Akhil Chandra Datta) : Motion moved :

“ That this Assembly recommends to the Governor General in Council to advise the Railway Board to reconsider the payment of Rs. 11,000 as compensation to the Bengal Provincial Railway and to increase the amount of this compensation to a figure which will bear to the present income of the East Indian Railway from the two stations of Belmuri and Gurup on the Howrah-Burdwan Chord the same basis of percentage which the amount of Rs. 11,000 bore to the income from these two stations when the amount was first granted.”

The Honourable Sir Andrew Clow (Member for Railways and Communications) : Sir, I am rather in a difficult position. I did not give the Honourable Member an assurance that I would look into the matter. I have already looked into the matter, and, if the House wants the reasons that have convinced me that this Resolution should be rejected, I am prepared to give them. But if the Honourable Member does not wish to advance any arguments and wishes to withdraw his Resolution, then, of course, I can have no objection.

Mr. Suryya Kumar Som : I ask for leave to withdraw the Resolution.

The Resolution was, by leave of the Assembly, withdrawn.

(The Honourable Members giving notice of the other Resolutions being absent.)

Mr. Deputy President (Mr. Akhil Chandra Datta) : The House stands adjourned till 11 A.M. tomorrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 19th September, 1939.