

7th March 1942

THE
LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume I, 1942

(11th February to 10th March, 1942)

FIFTEENTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1942



NEW DELHI. PRINTED BY THE MANAGER
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CORRIGENDA

In the Legislative Assembly Debates, Budget Session, 1942,—

- (1) Volume I, No. 1, dated the 11th February, 1942, page 31, line 20, for "Muslims" read "Muslim";
- (2) Volume I, No. 15, dated the 5th March, 1942, page 708, line 20 from the bottom, for "Suppression" read "Supersession";
- (3) Volume II, No. 5, dated the 17th March, 1942,—
 - (i) page 1207, line 4, delete the full stop after the word "statement"; and
 - (ii) page 1265, lines 5 and 22, for "The Honourable Sir Homi Modi" read "The Honourable Sir Homi Mody";
- (4) Volume II, No. 7, dated the 19th March, 1942, page 1357, line 15 from the bottom, for "The Economist news" read "The Economist news-";
- (5) Volume II, No. 8, dated the 20th March, 1942, page 1422, line 13 from the bottom, delete the second "that" at the end of the line;

- (6) Volume II, No. 9, dated the 23rd March, 1942,—
 - (i) page 1429, line 1, insert the word "is" after the word "blood"; and
 - (ii) page 1457, line 8 from the bottom, read "are" for the word "they";
- (7) Volume II, No. 11, dated the 25th March, 1942, page 1539, line 18 from the bottom, for the word "who" read "why";
- (8) Volume II, No. 13, dated the 1st April, 1942, page 1651, line 21, for the word "attacks" read "attack";
- (9) Volume II, No. 14, dated the 2nd April, 1942,—
 - (i) page 1688, line 17, for "It is given to C class" read "I said that A and B class";
 - (ii) page 1693, line 22, for "Syed Murtuza Sahib Bahadur" read "Maulvi Syed Murtuza Sahib Bahadur"; and
 - (iii) page 1729, line 19 and page 1730, line 9 for "Diwan Bahadur Sir A. Ramaswami Mudaliar" read "The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar".

LEGISLATIVE ASSEMBLY.

President:

The Honourable Sir ABDUR RAHIM, K.C.S.I.

Deputy President:

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

Panel of Chairmen:

SYED GHULAM BHIK NAIRANG, M.L.A.

Lieut.-Colonel Sir HENRY GIDNEY, M.L.A.

Sir HENRY RICHARDSON, M.L.A.

Sir COWASJI JEHangIR, Bart., K.C.I.E., O.B.E., M.L.A.

● *Secretary:*

Mian MUHAMMAD RAFI, Barrister-at-Law.

Assistants of the Secretary:

Mr. M. N. KAUL, Barrister-at-Law.

Khan Bahadur S. G. HASNAIN.

Marshal:

Captain Haji Sardar NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions:

Mr. AKHIL CHANDRA DATTA, M.L.A., *Chairman.*

SYED GHULAM BHIK NAIRANG, M.L.A.

Mr. JAMNADAS M. MEHTA, M.L.A.

Sir ABDUL HALIM GHUREKAVI M.L.A.

Mr. N. M. JOSHI, M.L.A.

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LEGISLATIVE ASSEMBLY

Saturday, 7th March, 1942.

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

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

SCHEME OF ORGANISATION OF THE INDIAN TEA MARKET EXPANSION BOARD.

154. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Commerce please state the amount of the total collections of tea cess during the years 1939-40-41 and the disbursement thereof during those years?

(b) Is the Indian Tea Market Expansion Board fed by the collection of tea cess? If so, will the Honourable Member please state the exact amount paid to the Board, and the proportion of the cess which is allotted to it?

(c) Is the Honourable Member aware of the scheme of organisation of the Indian Tea Market Expansion Board? If so, will the Honourable Member please lay on the table a complete scheme maintained by the Board?

(d) Is it not a fact that there are European, Anglo-Indian and Indian staff working under the Board? If so, will the Honourable Member please lay on the table a list of officers with their designations, and salaries?

(e) Is it not a fact that racial preferences are accorded to the staff notwithstanding their inferior qualifications and capabilities? If not, will the Honourable Member please state the minimum qualification required for the posts of Supervisors, Superintendents and Inspectors?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) and (b). Sir, I have obtained a statement from the Indian Tea Market Expansion Board which I lay on the table.

(c) The Indian Tea Market Expansion Board is constituted under section 4 of the Indian Tea Cess Act, 1903, as subsequently amended. The Board works through the Executive Committee which is also provided for under the Act and is subject to the control of the Board. The Executive Officer of the Board is the Tea Commissioner for India who works under the general supervision and control of the Chairman and the Executive Committee, subject to the general control of the Board. For detailed information in regard to the Board's activities I may invite the attention of the Honourable Member to the Board's annual reports copies of which are in the Library.

(d) A list prepared by the Indian Tea Market Expansion Board is laid on the table.

(e) I understand from the Indian Tea Market Expansion Board that no minimum qualification for the posts mentioned has been prescribed by

it for the appointments made by it. I am informed that no racial preference is shown in the selection of candidates.

Statement.

Parts (a) & (b)—

Year.	Gross collection of Tea Cess.	Deductions made by Customs for refunds and short shipment and also on account of cost of collection.		Net collection of tea cess made over to the Indian Tea Market Expansion Board.
		Rs.	Rs.	Rs.
1938-39 (April—March)	43,24,091	19,726		43,04,365
1939 (April—September)	19,48,240	9,227		19,39,013
1939-40 (October—September)	48,74,080	27,196		48,46,884
1940-41 (October—September)	49,01,356	18,832		48,82,524

The Indian Tea Market Expansion Board is financed solely by the collection of tea cess under section 3 of the Indian Tea Cess Act, 1903; the net amount of cess is payable to the Board.

List of Officers in the Indian Tea Market Expansion Board as at 18th February, 1942.

Name.	Grade.	Present Salary.
		Rs.
Mr. W. H. Miles	Commissioner	3,000
„ B. G. McHatton	Inspecting Superintendent	1,250
„ W. M. Orton	„	1,200
Dr. P. Gu'ia Thakurta	Publicity Officer	1,150
Mr. H. N. Bose	Superintendent	600
„ R. Bentley	„	900
„ Sapuran Singh	„	600
„ C. E. Kearney	„	950
„ J. S. Solley	„	875
„ D. Prasad	Acting Superintendent	500
„ N. C. Gupta	„	550
„ S. C. Hottinger	Assistant Superintendent	450
„ D. McDermott	„	450
Miss M. E. Robinson	„	400
Mr. K. Venkatachary	„	375
„ J. Hyland	„	400
„ B. E. Kelman	„	450
Dr. B. C. Sen	„	425
Mr. S. B. Sen	„ (Statistics)	350
„ D. V. Rose	Inspector	300
„ S. K. Bose	„	200
„ S. C. Chakravarty	„	200
„ C. H. La Vale	„	150
„ S. N. Banerjee	„	200
„ M. R. Nayar	„	280
Mrs. V. Owers	Inspectress	255
Mr. Amir Bakshah	Inspector	215
„ S. M. Ellis	„	300
„ S. S. Bhatia	„	235
„ M. L. Bhatia	„	235
„ V. D. Kapila	„	210
„ N. G. Barua	Acting Inspector	175
„ Suranjan Ghose	„	150
„ R. P. Twickley	„	150
„ K. Krishnaswami	„	155
„ A. V. Nanjundiah	„	165
„ P. V. Raman	„	155
„ S. P. Sarathy	„	145
„ P. C. Rajpal	„	210
„ P. C. Jaitly	„	175
„ G. C. Murgai	„	175
„ J. S. Mathur	„	165
„ R. N. Mukherji	„	175

Name.	Grade.	Present Salary. Rs.
<i>Assistants on Military Service.</i>		
Mr. A. H. Chambers	Personal Assistant to Commissioner	1,350
" G. W. Holland	Superintendent	950
" A. E. Hazell	"	600
" E. C. Oates	"	550
" B. Macdonald	"	700
" W. H. Barrett	Assistant Superintendent	375
" M. Subba Rao	Inspector	200
" Prakash Bhatia	"	200
" M. G. Mansfield	"	240

TRAINING CENTRES UNDER THE INDIAN TEA MARKET EXPANSION BOARD.

155. *Mr. Amarendra Nath Chhattopadhyaya: (a) Will the Honourable Member for Commerce please state the number of Training Centres under the Indian Tea Market Expansion Board all over India and the objects thereof?

(b) Is it not a fact that the new recruits are trained at the Centres and, after having successfully gone through the training, are given appointments?

(c) If the answer to part (b) be in the affirmative, will the Honourable Member please state if those trainees, after completing their course, are taken as qualified?

(d) If the answer to part (c) be in the negative, is it not a fact that new recruitments are often made, (while trained hands are still to be appointed) leaving aside the trained hands, who are not given appointment at all?

(e) If the answer to part (d) be in the negative, will the Honourable Member please lay on the table a detailed list of recruitments and appointments during the years 1939-40-41?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

(a) I understand there are no Training Centres as such under the Indian Tea Market Expansion Board.

(b) Arrangements for training are made at the Board's Divisional Headquarters and new recruits sometimes receive preliminary training and sometimes not, in accordance with their qualifications. The training is imparted with the object of ascertaining whether or not the applicant is likely to become an efficient worker for the purpose of the Board and not with a view to qualifying him for an appointment.

(c) The Board's view is that the fact of a man having undergone preliminary training does not imply that he is specially qualified for work under the Board.

(d) It follows from my reply to part (b) that appointments are not necessarily made from among those who have undergone preliminary training.

(e) A list prepared by the Indian Tea Market Expansion Board is laid on the table.

Appointments made in the Indian Tea Market Expansion Board during the years 1939, 1940 and 1941.

	1939.	1940.	1941.
Superintendents	1	1	1
Assistant Superintendents	1	1	1
Inspectors	8	3	1
Sub-Inspectors	27	25	45
Extra Sub-Inspectors	4	7	18
Demonstrators	290	249	394

DISSATISFACTION AGAINST THE MANAGER, CENTRAL PUBLICATION BRANCH.

†156. *Qazi Muhammad Ahmad Kazmi: (a) Is the Labour Secretary aware that there has been prevailing great dis-satisfaction amongst the members of the staff of the Government of India, Central Publication Branch, on account of hard and ill-treatment by the Manager?

(b) Is it a fact that on account of a report of the Cashier of the Publication Branch the Manager forced a temporary clerk attached to the Cash Section, to resign from the post on the threat that otherwise he would be dismissed?

(c) Is it a fact that the clerk being temporary resigned from the post?

(d) Is it a fact that since the present Manager has taken charge of the Government of India, Central Publication Branch, a number of members of the inferior staff (daftries and labourers, etc.), have been dismissed for minor faults?

(e) Is it also a fact that two permanent daftries attached with the Despatch Section have been charge-sheeted and they are under suspension?

(f) Does the Honourable Member propose to look into the matter?

Mr. H. C. Prior: (a) No.

(b) No.

(c) Yes.

(d) No. Only one has been dismissed but not for minor faults. An appeal lies to Controller of Printing if persons are not satisfied with the order.

(e) Two daftries attached to the Despatch Section were suspended on charges of insubordination, breach of discipline, etc. One of them has since been dismissed.

(f) Does not arise.

GOVERNMENT MONEY SPENT ON ESCORTING OF JEDDA PILGRIMS.

†157. *Mr. Ananga Mohan Dam: Will the Honourable Member for Education, Health and Lands be pleased to state the amount spent by Government in escorting pilgrims to and back from Jedda?

The Honourable Mr. M. S. Aney: The question should have been addressed to the Defence Department.

Maulvi Muhammad Abdul Ghani: May I put this question on behalf of Sir Ziauddin Ahmad?

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member been authorised?

Maulvi Muhammad Abdul Ghani: Yes, Sir.

PRICE CONTROL OF COTTON PIECE-GOODS AND JUTE GOODS.

158. *Maulvi Muhammad Abdul Ghani (on behalf of Dr. Sir Ziauddin Ahmad): (a) Will the Honourable Member for Commerce be pleased to mention the success achieved in the control of the prices of cotton piece-goods?

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

(b) Why did Government omit to control prices of jute manufactured goods?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar:

(a) It is not clear to what scheme the Honourable Member refers, as the Government of India have not formally controlled the prices of cotton piecegoods. They are, however, carefully watching the course of prices of cotton piecegoods and have under active consideration the introduction of a scheme for the production and distribution of standard cloth at reasonably cheap prices. The essential features of the scheme have received the approval of a representative Panel of the Cotton Textile Industry.

(b) The price of Jute manufactures at present is not such as to necessitate the institution of price control.

Mr. H. A. Sathar H. Essak Sait: With reference to part (a), we want to know the success that has been achieved.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: When there has been no price control so far, there is no question of what success has been achieved.

UNSTARRED QUESTION AND ANSWER.

AVENUE OF PROMOTION FOR ASSISTANT SURGEONS.

46. Maulana Zafar Ali Khan: (a) Will the Honourable the Education Member be pleased to state whether there is any rule regarding the ordinary avenue of promotion to higher grade for Assistant Surgeons? If so, what?

(b) In case there is no Assistant Surgeon who fulfils the prescribed conditions for promotion to the rank of Civil Surgeon and if a vacancy in the Civil Surgeon's grade occurs, what procedure is adopted in such cases?

(c) Are the posts of Assistant Surgeons and Civil Surgeons Gazetted?

(d) What is the total number of Assistant Surgeons and Civil Surgeons in each Province, separately, and how many of them are Muslims?

(e) How many Assistant Surgeons (now in service) have been promoted as Civil Surgeons and how many years of service had they put in before they were promoted?

(f) Were there any Assistant Surgeons senior to those persons who were promoted to the rank of Civil Surgeon? If so, how many and why were they superseded?

(g) Were those senior Assistant Surgeons, who have been superseded by their juniors, given sufficient trial before such supersession was allowed? If not, why not?

(h) Is there any rule why an Assistant Surgeon after crossing the efficiency bar cannot be declared eligible for promotion to the rank of Civil Surgeon?

The Honourable Mr. N. R. Sarker: The subject matter of the question is primarily the concern of Provincial Governments. As far as the centrally administered areas are concerned, I have called for the necessary information, which will be laid on the table of the House in due course.

BILL PASSED BY THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, in accordance with the provisions of **Rule 25 of the Indian Legislative Rules**, I lay on the table a copy of the Bill further to amend the Indian Companies Act, 1913, which was passed by the Council of State on the 6th March, 1942.

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

SECOND STAGE.

DEMAND NO. 10—INDIAN POSTS AND TELEGRAPHS DEPARTMENT (INCLUDING WORKING EXPENSES).

Mr. President (The Honourable Sir Abdur Rahim): The House will now deal further with the Demands for Grants. I think it is now the turn of the Independent Party.

Rao Sahib N. Sivaraj (Nominated Non-Official): Demand No. 10 has to be moved.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That a sum not exceeding Rs. 11,72,94,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1943, in respect of 'Indian Posts and Telegraphs Department (including Working Expenses)'."

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

"That a sum not exceeding Rs. 11,72,94,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1943, in respect of 'Indian Posts and Telegraphs Department (including Working Expenses)'."

Grievances of Postmen and other lower Staff in respect of Compensatory and House Rent Allowances.

Rao Sahib N. Sivaraj: Sir, I beg to move:

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

And, with your permission, Sir, I shall also deal with certain difficulties in the way of promotion and recruitment.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot be allowed to modify it in any way. He must stick to the motion.

Rao Sahib N. Sivaraj: I thought it was a very small matter and that the Honourable Member was prepared to give me a reply. However, it is my opinion and I am sure it is the opinion of many Honourable Members in this House that of all the Departments of the Government of India, the one Department which is most efficient with the least amount of annoyance to the public is the Postal Department. It is because, in the first place, the Department does its day to day work and does not and cannot possibly accumulate arrears so far as the public is concerned. In the second place, the postal servants do not feel that they are part of a government which is merely meant to exercise control and power over

the public, but on the other hand that they are there to render service to the public, and, I suppose, also the fact that opportunities do not come their way for taking what, as in many other Departments, are called *mamuls* and other perquisites. It is in these respects that I suggest that the Postal Department causes the least annoyance to the public. Its efficiency is in large measure due to that class of servants called the postmen and the lower grade staff in the Postal Department. It is with reference to these people that I have tabled this motion, with a view to persuade the Honourable Member for Communications, no doubt, with the assistance of the Honourable the Finance Member, to render such help as I ask of him today.

The first direction in which I seek the help of the Honourable the Communications Member, who is known to be a friend of most of the labouring classes in India, is in respect of what are known as the compensatory allowances. It is unfortunate that, while Government have recognised the need for granting these allowances in the case of the clerical staff, they have not seen their way yet to grant these allowances to the postmen in the very places in which the clerical staff is given these allowances, particularly, places like hill stations, island stations and unhealthy stations. For instance, in certain places in the Madras Presidency, the clerical staff are given a compensatory allowance of Rs. 10 a month, and the postmen are paid Rs. 3 a month. What I request of the Honourable the Communications Member is to extend this concession to other similar places where this allowance is not paid. In one of the hill stations in Madras we find that this compensatory allowance is given to the superior staff but it is withheld from the postmen and other lower grade staff. In the matter of house rent allowance, while no doubt the Government have sanctioned the grant of such an allowance in certain places—I am again referring to the Madras Presidency—like Madras, Madura, Bangalore, Hyderabad, Dhanushkodi, Ootacamund, Coimbatore, Trichinopoly and other places, in the second class offices, and there are thirty-five of them in the Madras Presidency, they are not given this house rent allowance at all. I wish to appeal to the Government to see if they cannot, at this juncture at least, extend this concession to those other places.

It is somewhat difficult to assess the amount of allowance that is to be given to these people in conditions which are changing so fast as they are at the present moment, but there can be no denying the fact that the postmen and the lower grade staff particularly, at this moment, deserve the special consideration of the Government. In this connection, I wish to let the House know what I was informed by certain persons who came recently from Burma—that the postmen's service during the time of the raid of the city of Rangoon was indeed a magnificent one. Whereas on the first air raid every man was somewhat confused and did run away from his post, it was really remarkable of the Indian postmen who were employed there, that they came back to resume their duties next day and ever afterwards they continued to serve in the Postal Department in spite of the continuing raids. And I expect the same of our postmen here. I need not tell the House how very important it is to see that on an occasion like raids and the resulting confusion, people who are rendering such service are given special treatment by the Government. Again, certain postmen find it difficult to get increases in their salary by way of being promoted.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I thought that your ruling was that this could not come within the cut motion.

Mr. President (The Honourable Sir Abdur Rahim): What was the Honourable Member talking about now? I did not quite follow him.

The Honourable Mr. M. S. Aney (Leader of the House): Touching the question of promotion.

Mr. President (The Honourable Sir Abdur Rahim): That does not come in. The Honourable Member must confine himself to the specific points mentioned in the motion.

Rao Sahib N. Sivaraj: I thought of increases in their pay and allowances by way of promotion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must confine himself to compensatory and house rent allowances.

Rao Sahib N. Sivaraj: Very well, Sir. With these few words I once more appeal to the Honourable the Communications Member to make up his mind to review his original decision and to grant these concessions to the lower grade staff of the Postal Department. In fact, in fairness to the head of the Department, I must mention that, when I had a private interview with the Director General of Posts and Telegraphs, he was very kind and sympathetic and promised to go into the matter once again to see if he could not give some kind of relief to these poor people. But my fear is that unless the Honourable the Finance Member is equally sympathetic to the case of the postmen, nothing can be done, and so I hope that he will also co-operate with the Honourable the Communications Member in this direction. Sir, I move.

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

“That the demand under the head ‘Indian Posts and Telegraphs Department (including Working Expenses)’ be reduced by Rs. 100.”

Mr. N. M. Joshi (Nominated Non-official): I rise to support this motion. These lower grade employees of the Postal Department deserve compensatory allowances of various kinds. The first allowance to which my Honourable friend, Mr. Sivaraj, made reference was the compensatory allowance for those employees of the Postal Department who are working on hill stations. As regards this allowance the Department makes a discrimination between clerks and the lower grade staff. In some places the allowance paid to the lower grade staff is very small. The clerks are paid a hill allowance of Rs. 10 while the postmen are paid a hill allowance of Rs. 3. But there are other places where the clerks are paid a hill allowance of Rs. 10 while the postmen and others are not paid any allowance at all. I think the Government of India should rectify this injustice.

Then there is another kind of compensatory allowance given to postal employees when they go to work in stations outside the places where they generally work. The complaint about this allowance is that the allowance is very meagre. When the packers working in the Railway Mail Service, whose headquarters are in Madras, go out of Madras, they get the travelling *bhatta* of two annas a day. Although Madras is a

cheaper place, yet if you go to a coffee shop there you will have to spend two annas for a cup, and if you want a little rice, *kolambu* and *rāsam*, it will cost you at least four annas. So, in a day a man can easily spend 12 annas while the Government pay only two annas. Sometimes Government think that even these two annas is too large a sum. I am told that in the Trichinopoly Division the *bhatta* is one anna per day. So, if a postman goes to a coffee shop, he will have to ask for half a cup instead of a full cup of coffee.

Then, the village postmen also want some kind of compensatory allowance. These postmen have sometimes to remain out of their headquarters for two or three days. They have to go to villages within a circumference of about ten miles. They reach some village in the evening and then they have to stop there. Again, they start on their march the next morning and in this way they remain out of their headquarters sometimes for two days and sometimes for three days. During these days the postman has to maintain his family and establishment at his headquarters, and when he goes to a village he has to pay for his board and lodge. Therefore, the postmen rightly claim that they should get some kind of compensatory allowance when they have to go out of their headquarters for their work.

Then, Sir, there is the question of the house rent allowance. The allowance that is paid by the Postal Department is extremely small. I say again that in regard to house rent Madras is a cheaper place than Bombay. I admit that. But certainly Madras is not as cheap as the Government think it to be. In Madras the postmen are paid the house rent allowance at the rate of Rs. 3 per month in Madura, Rs. 2 per month in Bangalore and Re. 1 per month in Coimbatore. I do not know, Sir, whether you know much about the Madras Presidency. I am sure you know something about Madras proper. Coimbatore is a growing city and it is becoming dearer and dearer day by day, and the Government there pay the house rent allowance at the lowest rate, namely, Re. 1 per month. I am sure no postman can get a room in Coimbatore for that sum.

Then, there is another kind of compensatory allowance. When Postal Inspectors go out on their tour of inspection, they are given a conveyance allowance of Rs. 26-4-0 and a special pay of Rs. 30. So, they get Rs. 56-4-0 when they go out for their inspection. But there is another class of postal employees who do the inspection work. They are called the Overseer postmen. These Overseer postmen are recruited from the class of postmen. They do the inspection work. While those Inspectors who are recruited from the clerical grade are paid Rs. 56-4-0 in addition to their ordinary salary, these Overseer postmen are not given any kind of compensatory allowance. I would like the Government of India to consider this question of the various kinds of compensatory allowances which are paid to the postal employees and begin to give allowances where they are due if they are not given and increase the allowances where they are meagre. I hope the Honourable the Communications Member will give his sympathetic consideration to these questions.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I rise to support this motion. In order to be able to talk authoritatively on this subject on the floor of this House, one has to prove the position one holds in regard to the labour unions. It is, therefore, with some hesitation that I certify my position to talk on this motion by saying that I am the President of the Calcutta Postal Union in Bengal and Assam. I am also the

[Sir Henry Gidney.]

President of the All-India Posts and Telegraphs Union. Therefore, I feel that I can speak with a little authority on this subject.

I think that the condition of the postmen as a whole can only be described in one word—lamentable. They are the hardest worked people in Government service. In the past the policy has been to reduce their number and to increase their beats and thus increase their labour. One has only to go throughout the City of Calcutta or any other big city or town to find that the Post Office lamps are generally lit after most other offices are closed. They are the postal offices. The pay of these men I know has been increased for sometime, but their compensatory allowances have been more or less on the reduction scale. The *summum bonum* of the various retrenchment exercised by the Department as on the recommendations of the various committees appointed has been to be able to effect a surplus budget at the end of the year, a surplus budget secured at the expense of thousands of humble and poor workers whose condition today, especially with the rising prices of living, is disproportionate and deplorable. I think this state of affairs calls for the sympathetic consideration of Government and I have great pleasure in supporting this motion.

The Honourable Sir Andrew Olow: Sir, I am indebted to the Honourable the Mover of this motion for the tribute which he paid to the working of the Posts and Telegraphs Department. I have also found, as a member of the public and not as a Member of Government, that this is a Department which renders efficient service to the public and gives it, I hope, as little annoyance as possible. I would acknowledge, in joining in these sentiments, the extent to which that result is achieved by the courtesy and careful work of a large number of persons occupying comparatively humble positions. But there is another factor which also, I think, tends to increase the regard which the post offices hold in the eyes of the public and that is the fact that they render their services at a comparatively cheap rate. And if I were to listen to all the appeals made to me for an increase in allowances and an increase in pay, that advantage at least will very rapidly disappear.

Rao Sahib N. Sivaraj: We do not mind that.

The Honourable Sir Andrew Olow: I know the postmen do not mind that, nor does the Honourable Member who has spoken on their behalf, but the public will mind it. I remember the speeches which were delivered in this House when the price of postcards was increased. I may also refer to the point that the Finance Member made last night that, generally speaking, the persons who are being served by our postal servants are persons who are certainly not any better off. In many cases they are poorer.

Now, on this question of compensatory and house allowances, I am sure the Honourable the Mover is clear in his own mind as to the position; but some of the remarks he made might have unintentionally conveyed rather a misleading impression to the House. It is not the case that these allowances are confined to the clerical classes. In many places, as I think he himself is well aware, indeed he himself mentioned once, they are given to both classes. There are certainly some cases where the allowances are given to clerical employees and are not given to the postmen

and other employees for whom he was speaking. The Honourable Member instanced some place in the Madras Presidency. I think he probably had the Nilgiris and some other hill tracts specially in view. There are similar cases in other circles. Now, Sir, the main reason for that distinction is that the two classes of employees are not serving under the same conditions. The clerical employees do not, as a rule, belong to the neighbourhood within which they are serving. They have to be brought to serve in these hill tracts from other areas. They find, therefore, that their expenses of living are greater and that is particularly true where the area is regarded as an unhealthy one; and so allowances are sanctioned for them. But the postmen and other servants who are recruited locally clearly have not the same case for an allowance and that is why that distinction is drawn. But, as I said earlier, it is not a distinction that is drawn everywhere. In other places the allowances are given to both. House rent allowances are much in the same position, but I would emphasize that house rent allowances are not intended to ensure that the man could live free of rent. An Honourable Member, I think it was Mr. Joshi, suggested that the allowances given were not sufficient to secure a house. But the allowance normally is intended only to cover the extra cost of the particular locality in which it is given.

Now, all these allowances were subjected to a very thorough examination only about three years ago. They were reviewed all over India and I may say I personally examined a considerable number of cases. In one or two cases, I think I am right in saying, where we came to the conclusion that the withdrawal of the allowance was not justified, I think it was in Bombay and Calcutta, the allowance was restored after review. It is extremely difficult to urge that there should be any general review of the allowances again after so short a time. The Honourable the Mover referred to the circumstances brought about by the war. He said that "particularly at this moment" the allowances should be revised upwards and he referred to the difficult situation which had confronted certain employees in Rangoon as a reason for showing generosity. But that surely is to confuse two entirely different things. The object of this compensatory and house rent allowance is not to provide compensation for temporary difficulties which may be forced by the war. It is an attempt to equalise permanent differences between one situation and another. The grant of allowances for war stands in an entirely different category. These difficulties are met by applying everywhere, I think, the rules which the Provincial Governments have framed for the grant of war allowances.

I may say that the Director General is always open to review a particular case if it should arise owing to some change in the circumstances that the allowance is no longer adequate. One Honourable Member, I think Mr. Joshi, said that the conditions had changed in Coimbatore and that it was now a very expensive place. I am not very clear myself as to whether there has been such a substantial change within the last three years as to justify another revision of the allowances. Where it could be shown that within the last three years, there has been a substantial change in condition, apart, of course, from the change which the war has brought about everywhere, I mean a substantial permanent change, then the Director General would, I know, be prepared to review the case. But, I must at the risk of being stigmatised as unsympathetic suggest to the House that there is no case for a general review of these allowances. Sir, I oppose the motion.

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

“That the demand under the head ‘Indian Posts and Telegraphs Department (including Working Expenses)’ be reduced by Rs. 100.”

The motion was negatived.

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

Revision of the Government Orders regarding Communal Representation so as to secure definite Representation of the Depressed Classes in the Government of India Services.

Rao Sahib N. Sivasaj: Sir, I move :

“That the demand under the head ‘Executive Council’ be reduced by Rs. 100.”

Sir, my object in moving this motion is to see that the Government take up the question of the revision of the Government orders regarding communal representation so as to secure definite representation of the depressed classes in the Government of India services. At a time when the Government of India are really busy about very emergent matters, I would not have brought this motion but for the fact that I feel that if I had not done so, I should be merely committing suicide in the matter of representation of my community in the services. That is the reason why I was so keen that I should bring this motion, even though I am afraid the House or even the Government is not so much interested in the question.

In my student days, I remember I was called upon very often by my class teachers to write an essay on the benefits of the British rule in India. It was indeed a common subject amongst most of the teachers in those days. No doubt other students, along with me, wrote the essay, each in his own way and perhaps in as good an English as he could then command, of all the benefits, such as the abolition of *suttee*, the introduction of the quarter anna postage, the introduction of railways and so on. If any student managed also to lug in the phrase ‘the benign British Government’, he certainly scored over others who did not say or who forgot to say that the British Government was benign. But I did not then know, nor did it strike me then but it is very evident to me now, that the Government of India can also be guilty of many a defect, if not actually a crime. One such crime is the failure of Government to stand by the depressed classes and do what was their obvious duty by them if at all they lay claim to being a civilised and efficient Government. I think all the troubles through which my community passes today depends to a large extent upon the attitude of the British Government ever since it happened to get control of India. If at the very outset they had adopted the principle which any Government worth the name ought to adopt in the matter of securing privileges to all its subjects alike, we should not be in this position today. If, for instance, it had not connived at the idea of maintaining a distinction between different classes of the population in India on the ground of religion and on the ground of caste, they should indeed have deserved our thanks and our gratitude today. But, as it is, I find that our troubles today have increased. While hitherto we were treated by the higher castes as something below the strata of mankind and we were also designated by various names, the last being “untouchables”, the Government of India in their turn have added one other name, *viz.*, unsuitables. Wherever a candidate from the scheduled class applies, does not matter with or without a Services Commission, the poor depressed class fellow

is at once noted down as an unsuitable man even though he has the minimum qualification required. I find that the Government of India are not capable of moving with the times. I do not suppose even now they are capable of understanding the great forces that are at work in changing the world altogether. It looks as if they are self-complacent and feel they can carry on in the old style. But I personally feel that it is high time that the Government of India changed both their mind and their methods. At any rate I feel that in the case of my community they ought to adopt immediate steps to see that they are not kept too long under a keen sense of disappointment, if not despair.

Sir, I was talking about the benefits of British rule. Indeed there have been many. And if it is a question of reducing the benefits in terms of communities, I find that the benefits that have accrued to the communities vary in inverse proportion to the strength of their population. And I think I am not far wrong when I say that the greatest benefits went to the smallest community, and the smallest community today is the European community in India. The next community is the Anglo-Indian.

The Honourable Mr. M. S. Aney: What about the Parsis?

Rao Sahib N. Sivaraj: They are certainly greater in number than the Europeans; that is what I mean.

I said that the proportion of benefits that these various communities get varies in inverse proportion to the strength of their population. I find that the next community that gets the benefits, though correspondingly lesser than the Britisher, is the Anglo-Indian community; and that is probably due to the fact that the British Government in India is still disposed to show a kind of paternal affection for that community. And the third community,—I fear to refer to them as a community in these days,—is that of my friends, the Muslims. I think on their latest showing they want to be treated as a nation, in which case I feel it is time they went out of the list of this communal G. O. In any case I do not refer to them because I feel that so far as they are concerned, even from the point of view of Government, they are treated on a separate basis. Here, Sir, I must mention one thing which strikes me as a peculiar feature of the Government of India. They stand like rocks before humble persons like me who can only plead and probably petition. But they crumble like dust before the onslaughts and fury of the Congress and the Muslim League.

I find, Sir, that this is the background in which I want to discuss the revision of what I call the communal G. O. I will draw your attention to the first paragraph of the communal G. O. passed on the 4th July, 1934 :

“It has been represented that though this policy was adopted mainly with the object of securing increased representation of Muslims to the public services, it has failed to secure for them their due share of appointments.—”

I attach importance to the words “due share”:

“and it has been contended that this position cannot be remedied unless a fixed percentage of vacancies is reserved for Muslims. A review of the position has shown that these complaints are justified and the Government of India are satisfied by the inquiries they have made that the instructions regarding recruitment must be revised with a view to improving the position of Muslims in the services.”

[Rao Sahib N. Sivaraj.]

Sir, I ask the Government of India and I appeal to the Honourable the Home Member to revise in the same manner this G.O. so as to secure for the scheduled classes a fixed percentage of vacancies which must be reserved for them. There can be no doubt, Sir, that there is an increasing demand everywhere for our representation in the services. This G.O. had no reference whatever to the availability or otherwise of the Muslim candidates when you fixed their percentage. My contention is that once you fix the percentage you are sure to get the number of men you want, but, unfortunately, so far as the reference to the scheduled classes' community goes, this G.O. has made three mistakes.

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

Rao Sahib N. Sivaraj : The first is that they have included us in the class of Hindus. Well, that does not work properly as is obvious from the annual statements that are published relating to communal services, and I had to look into about 69 statements relating to the year 1940 and was pained to see that in all these 69 lists only three or four statements contained any reference to the Scheduled Classes

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

Rao Sahib N. Sivaraj : I will just finish in half a minute, Sir.

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member may complete his sentence.

Rao Sahib N. Sivaraj : Thank you, Sir. I was saying that only four statements contained any reference to the Scheduled Classes at all. Other statements were blank in so far as they are concerned. I suggest, Sir, that the Depressed Classes should be taken out from the category of Hindus and put as a separate class, and, secondly, they should be allotted a fixed percentage—at least as much as the Muslims have got, because our population is more or less the same. These are the two things that I would now request the Government to concede.

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

“That the demand under the head ‘Executive Council’ be reduced by Rs. 100.”

Maulana Zafar Ali Khan (East Central Punjab : Muhammadan) : Sir, I have every sympathy with my friend, Rao Sahib Sivaraj. They say that there is only one nation in India. This has been constantly dinned into our ears. If there is one nation in India, it means that the Mussalmans are part and parcel of that great majority which calls itself Hindus. But it is not a fact. The Mussalmans are a separate nation of ten crores and must be respected and treated as such. Then there remains the other great community of India—the Hindus. They are thirty crores in number and the manner in which their majority treats six or seven crores of them is a dark blot on the fair name of Hinduism. These seven crores are called depressed classes, Harijans, Shudras,

Rao Sahib N. Sivaraj: You may give us any name you like.

Maulana Zafar Ali Khan: They are claimed as part and parcel of the great Hindu body. But they are being treated as helots. They ought to be looked upon as a nation, so that they may also raise their heads up as men. They have got as much right to command respect as the most blue-blooded Brahman. They are being treated as slaves and it is unfortunate that the Government of India should also treat them as depressed classes and should not have sympathy with their aspirations.

My Honourable friend is perfectly right when he says that his community—I should say his nation—should get definite representation in the services. When they have got brains, there is no reason why they should not be treated as men. So far as the Mussalmans are concerned, their share in the public services has not been in proportion to their number. The Government of India at least recognized it, but the lion's share has hitherto fallen to the majority community and if it has fallen to their share, there is no reason why a luscious bit of it should not go to my friend, Mr. Sivaraj's people. I have every sympathy with him and I tell him that even if the Mussalmans have to lose to some extent, they are prepared to help him and his nation.

In conclusion, I would like to say that some changes are shortly to be announced with regard to the future of India, and they assure us that liberty is coming. I do not know whether it will be a mere eye-wash or something in the nature of a real transfer of power to us. But if power comes to us, then so far as the Mussalmans are concerned, we assure our friend that justice will be done to his people.

Mr. N. M. Joshi: Sir, I rise to support the motion moved by my Honourable friend, Rao Sahib Sivaraj. Sir, this problem of scheduled classes and their getting due share in the public services of the country is of great importance from the national point of view. I feel, Sir, that the Government of India have not done much in this respect. They have set apart certain percentages in the public services for some communities, but they have not, as my Honourable friend, Mr. Sivaraj, has stated, set apart any percentage for the scheduled classes. I think, Mr. Sivaraj is right in saying that if the Government of India set apart a percentage which is their due, it will have some effect—gradual effect it may be—on the general position of that community in the public services. But I would like the Government of India not to stop there. The Government of India at present are taking up a sort of neutral attitude. They maintain that they will give special consideration to the claims of the members of the scheduled classes if they are available, but the Government of India must take the initiative in this matter and take steps so that the members of the scheduled classes will be available for public service and one of the steps which they have to take is to give special attention to the education of the scheduled classes. We shall be told that education is a provincial subject.

Sir, the Government of India are giving special attention to special kinds of education and they should treat the education of the scheduled classes as a subject of national importance and a subject in which the Government of India should take some part. I know, Sir, that on several occasions, Government of India have made large grants for subjects which are specially within the province of Provincial Governments. I know some years ago the Government of India made a grant of, I think, three

[Mr. N. M. Joshi.]

crores for rural development which certainly was not a subject of the Government of India, but when they felt that some money should be spent they did spend the money. Similarly, I would suggest to the Government of India to give special attention to the subject of education of the scheduled classes and make a special grant for that purpose. Education is a provincial subject generally, but the Government of India give attention to the education of certain classes. Similarly, they can take up this question; and as the Government of India are responsible for the question of services, they on that ground should also spend some money for the training of the scheduled classes, so that they may get sufficient numbers belonging to the scheduled classes in the services. The Government of India have spent and are spending money today for training certain classes of employees. They train men for railway services and several other services; why should they not spend also on training men from the scheduled classes? I would like the Government of India to make a report on the efforts which they make during the year to secure members of the scheduled classes for employment in the public services. I shall go further and say that the Government of India should have an officer with them, called the Protector of the interests of the scheduled classes. It should be the business of that officer to look to the interests of the scheduled classes in various ways and one of the ways will be to look to their interests in the matter of employment. I hope the Government of India will give up their present attitude of indifference and apathy in this matter and do something constructive in removing the complaint of the scheduled classes that they are not getting their due share in the public services of this country.

Lieut.-Colonel Sir Henry Gidney: Sir, I rise to support this motion and

12 Noon. I feel I must congratulate Mr. Sivaraj on the very temperate and able way in which he has discussed this matter. From the way he has expressed himself I feel I would call him a Member of the "expressed classes" rather than the "Depressed Classes", for he has worthily fulfilled that position. My sympathies go out whole-heartedly to the tragic position of the depressed classes in India. As one of the few Members in this House who attended all the three Round Table Conferences and the Joint Parliamentary Committee, I feel I am in a position to be able to state that the position of the depressed classes was very fully seized and recognised by members of both Houses of Parliament; and their very able representative at these Conferences, Dr. Ambedkar, fully explained their position. But I am tempted to add that the primary cause of their not getting due representation in the services was due to the absence of any effort at that time. I often pointed this out when we associated ourselves together in drawing up the minority pact. I felt that was an opportunity which the depressed classes had but which was not seized and which would have secured for them a certain percentage. The result is, today they are certainly in many respects an extreme after-thought of selection when they come up for jobs; and this is more pronounced in the Madras Presidency where there still exists that high caste feeling among Brahmins and others who look down upon the depressed classes as things unworthy of notice. We, in India, often demand that our people be placed and accepted on an equality with every one else; but I think the besetting sin of these claimants is that whilst on the one hand they demand this equality of status, especially in Africa, on the other hand we do not practice it ourselves with those millions of

people who they elect to call "depressed classes". When I heard my friend, of the Muslim Party, talking about the Muslim community as a nation—which he has every right to do—I do not see that the depressed classes fall short of that numerical claim, for, although they have been variously estimated from 40 to 70 millions, I think they have a total of about 60 millions and, as such, they form a very important unit in the body politic, the body economic and body defence of India. That they have been ruthlessly refused adequate recognition is the most tragic and the blackest spot in the history of this country. How often one has heard it heralded from the housetops: "we will do all we can for the depressed classes"! The walls of this House have reverberated with those messages of lip sympathy. How often have we not heard from the highest priests and the greatest princes of this country; "We must elevate the depressed classes". Till that is done, our voice in this House will be a voice falling on deaf ears. India has yet to remember that its happiness, its development and its contentment depend on two main factors, the emancipation of its women-folk and giving equality to that class of people whom we call depressed classes; and till those two matters are fully realised and rectified I am afraid the hopes of anything being done for the depressed classes is very small. But any voice that I may add to the motion moved is given with the greatest sincerity and the greatest of respect and recognition of the need that has been so ably advocated by my friend. I "do not know" if I could in any practical way indicate how a percentage of employment in the services can be reserved for them; and I am not so mindful of what has been

An Honourable Member: Why not?

Lieut.-Colonel Sir Henry Gidney: I am going to develop that. I did not say "I cannot". I said "I do not know". I am mindful of the percentages that my brother Muslims have received. They deserve it from their population ratio and I deserve it from the past connections and services I have given.

An Honourable Member: Oh! Oh!

Lieut.-Colonel Sir Henry Gidney: You may say "Oh! Oh!" I say P. P. or Pip Pip. The point is not that. It is this. (Interruption.) In interrupting me you seem to think that you are the only pebble on the beach or the only voice meriting attention in this House. You are not. But so far as percentages of employment are concerned, there are three main categories or communities concerned; Muslims, Anglo-Indians and Domiciled Europeans and the rest which refers to and goes to the Hindus. I do not know how my friend, Mr. Sivaraj, was going to develop regarding the zero point—his time was up at that part of his speech—but it strikes me that the only solution at the present moment is this: Two communities have received their quotas and I submit a certain percentage should be reserved for the depressed classes out of the residue allotted to Hindus as a whole. How that will be worked out I will leave to Government. I feel that the Honourable Member in charge of the Department—the Home Member—and the whole of the Executive Council with its extension and expansion is in sympathy with this motion and its justification and I feel that I can safely leave it to them to evolve a scheme which will afford to this very needy and very useful class of Indian citizens a fair and square deal and percentage of employment in the various services and not relegate them to the after-thought and not-wanted of India.

Sir F. E. James (Madras: European): Sir, I should like to express my personal sympathy with the views put forward by my friend, Mr. Sivaraj, and to make it clear that I speak for myself on this occasion as I have not had an opportunity of discussing this matter with my colleagues in my Party. Coming from South India, one sees a great deal of the intolerance of sectarianism. I have had some experience of that in my own life. I come of a family which was persecuted not many generations ago. In fact, my own father recalls the days when he was a boy and when his family was not able to get meat in the village, because they did not belong to the established Church. The local butcher would not supply meat to any one who was not a member of the established Church. When that intolerance is allied to economic and social pressure of all kinds, it can be a very terrible thing. Of course, that was some time ago. My Honourable friend behind me suggests that the intolerance of sectarianism is a thing of the past. It is not so. I can speak certainly from personal experience so far as the employment of the scheduled classes is concerned. I have actually in my file today a letter written not many months ago from a semi-Government institution in south India declining to entertain a very good recommendation for a highly qualified member of the scheduled caste on the specific ground that it would be a source of irritation and embarrassment to the Hindus already in that service.

An Honourable Member: "Shame."

Sir F. E. James: Those of us who come from the United Kingdom have a natural and instinctive distaste for communal considerations in the matter of appointments. I think, all things being equal, we should prefer to see all these appointments based solely upon merit. But there are circumstances in this country which must be considered. In Madras there is for the provincial services a communal G. O. in which the scheduled classes find a specific place as distinct from the Brahmin and the non-Brahmin Hindus. I believe that that has worked successfully, and it has worked with the good will of the caste Hindus in the Madras Presidency. In fact, the G. O. was largely the result of the work of a caste Hindu Minister some years ago who felt very strongly that if there were going to be communal proportions in the services, the scheduled castes should have their specific place. I believe this matter has been raised in this House before. The Resolution of the Home Department of the 4th July, 1934, says that in the present state of general education in these classes the Government of India consider no useful purpose will be served by reserving for them a definite percentage of vacancies out of the number available for Hindus as a whole. (Interruption.) Never mind, that was the position at that time. But Government hoped to ensure that duly qualified candidates from the depressed classes are not deprived of fair opportunities of appointment merely because they cannot succeed in open competition. In the rules for services which are laid down, in paragraph 4 it is stated:

"In order to secure fair representation for the depressed classes duly qualified members of these classes may be nominated to a public service even though recruitment to that service is being made by competition. The numbers of these classes, if appointed by nomination, will not count against the percentages reserved in accordance with the clause above."

That is, the first clause, dealing with percentages. I wonder whether the Honourable the Home Member could tell the House how many nominations of this kind have been made since this resolution was issued. I wonder also whether he would tell us what steps the Central Government

have taken since then to ensure that duly qualified candidates from these classes have not, in fact, been deprived of fair opportunities of appointment merely because they cannot succeed in open competition. One hopes that eventually all these things will disappear, but for the time being, there is no doubt that the members of these classes do suffer tremendous handicaps. They are climbing up the educational ladder very fast. They are conspicuous at the present moment for their loyalty to the cause of the Allies and for the splendid contribution which they are making in man power. I think that, quite apart from any other consideration—I am quite sure that Honourable Members of all Parties will agree with me here—quite apart from any other consideration, the consideration that I have just now mentioned would entitle them to the most favourable treatment which the Government can give them without injustice to other communities.

Mr. M. Ghiasuddin (Punjab: Landholders): I rise to lend my support to the motion moved by my Honourable friend, Mr. Sivaraj. We have to consider whether the so-called scheduled classes are within the Hindu fold, or are they something separate? An effective reply to the question whether they are part and parcel of the Hindus can be given from the composition of this House. The scheduled classes number almost as much as the Mussalmans, and yet we find that owing to separate representation there are about 30 Mussalman Members in this House, whereas only one scheduled class Member and that too a Nominated Member is gracing the benches of this House. If the Hindus wish to treat them fairly, why is it that more depressed class members have not been returned to this House? I think the treatment which these people are receiving at the hands of other Indians is a blot on the Indian civilisation. The very fact that for a good many years these people have been known as untouchables is a thing of which any patriotic Indian or any civilised man should be ashamed of. In my own province, a good many years ago, the recruitment of scheduled classes was forbidden in the police force. That was done on the ground that other people refused to share their food and they did not like that the depressed classes should be on a term of equality with them, and there were difficulties for messing arrangements, etc. So, the Government very conveniently issued a circular to the effect that the recruitment of these people should be forbidden in the police force. We hear that English people love liberty, equality and that sort of thing. When they had the power they should have put down their feet and said, whether other people liked it or not, these people should be given their due rights, and they should be enlisted in the police force, and that people who did not like it, could keep out. Why should the right of a citizen be ignored and trampled down upon simply because the other man is unreasonable? Why should an innocent man suffer?

A lot of lip service is done in certain very high quarters about the uplift of Harijans. We hear Mahatma Gandhi and others saying that they are doing all in their power to do away with the untouchability and all that sort of thing, but in practical life very few results are shown of all that propaganda that is being carried on. We hear that such and such a temple has been thrown open to the Harijans. Well, Sir, if I were a Harijan, it would be a very poor consolation to me if I were allowed in a temple where my other brethren had been forbidden for such a long time. Surely, God is everywhere and it is not the will of God that any person because he happens to be born in a certain community should be forbidden to enter His house for worship. There is a story of a negro who

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lived in the Southern States of America. He wanted to enter a church but he was told that that church was reserved for the white people only. So, a Padree came and told him: If you can't enter the church, I am sure God won't enter into this church. Either, God has created white men as well as black men, the so-called scheduled caste people and the caste people. In other ways also, the claims of these scheduled caste people have been very much ignored by the Government. The glaring example of this is the very recent expansion of the Executive Council. I am sorry to say that although good-spirited public men of high reputation to be found among these classes, none was taken. And though this Government had been dinning into our ears the equality of mankind, they failed to appoint a suitable man from this class to the high post that so many Honourable Members occupy today. I do hope that this omission will be remedied very soon,—sooner than we expect. Sir, I support the motion.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan):

Sir, every year a return is called for regarding the communal composition of services under the Home Department Resolution of 1934. The headings of that return show that there are four classes of people living in India,—the Europeans, the Hindus, the minority communities recognised for purposes of communal representation and the other communities. Under the heading of 'Hindus' they have a sub-head which is called the depressed classes. And there they are. It has been pointed that the class named depressed classes suffer much in the representation of services. That is true but there is no remedy for it. The remedy lies in their own hands. So long as they go on to pass as Hindus, the educated and the wiser classes amongst them will rob them of their share. They do get their share but it is taken away by the wisest of them. So, a suggestion has been made by my Honourable friend, Mr. Joshi, that an officer should be appointed to look after the interests of the scheduled castes in matters of services. It is a good suggestion but unless they are treated as a distinct entity, there will be no remedy. That, too, is not enough because the Mussalmans are to some extent treated as a distinct entity and a Resolution has been accepted by the Government to that effect. The Resolution was adopted in 1934 to the effect that 25 per cent. of seats in the services will be reserved for the Mussalmans. This Resolution did not favour to Mussalmans because when it was passed the population of Mussalmans was just 25 per cent. of the population of the whole of India. So, that was no favour at all. But do you know what was the fate of that Resolution? That Resolution proved to be a dead letter. It has no effect and when my turn will come—and it will come soon,—I will be able to show very successfully that so far as some particular Department is concerned, it has had no effect at all. Its effect is rather in the reverse order. It is doing mischief. The very thing which has just been suggested by my Honourable friend, Mr. Joshi, that an officer should be appointed to safeguard the interests of the scheduled castes was also demanded by some of our Muslim friends and it was resented. It was said that there was no necessity for such an appointment. However, good sense has now prevailed and my Honourable friend has now come forward with this suggestion which I welcome.

My Honourable friend, Sir Henry Gidney, just now said that due regard should be had of past associations. But how long these past associations

will go on? A person is appointed to the I. C. S. His sons and grandsons may say that their father had the associations of the I. C. S., and, therefore, they have every right to be enlisted to the I. C. S. If that were the case, there will be no openings to other classes of people, howsoever educated they may be. In these days of the twentieth century such a plea should have no place. What is meant by past associations? A child when he is born does not belong to any particular service. He does not know how to read and write. When he is sent to a school, he learns something there. When he is sent to a workshop, he learns something there. What is the case at present? When the Government have come forward to train people, they are forthcoming. They decided to train 15,000 at first and now they have decided to train 48,000. People are coming in, in as large numbers as required and sometimes much more than is required. Then this question of past association does not hold good. In the name of such plausible pleas, it is not fair to rob others. That should be put an end to. I would point out to the Government that they also made some mistake. They have just now reserved 40 per cent. of the seats in certain services to that class of people who come forward with the plea of past association. Why 40 per cent., when they are not even 4 per cent.?

Sir, I have every sympathy with the motion just moved by my Honourable friend, Rao Sahib Sivaraj. Whenever I study the figures, I find that his people who are sometimes termed as Harijans, sometimes as depressed classes, sometimes as scheduled classes, sometimes as untouchables, have no place at all. It is very painful indeed. I have, therefore, every sympathy with him that his community should have adequate share. But to urge on the floor of the House that due attention should be paid by people of his community towards education, I do not think, it sounds sense. There are ample number of scheduled class candidates forthcoming, but the only question is want of a boss or a supporter and nothing else. I know the Muslims are strong enough, but their case also goes by default under many plausible pretexts and principles which I will expose later on. Sometimes, the age is increased. This suggestion increasing the age comes from the office. The age is increased not to 20 or 25 but to 40 and 45, as if there is some person in the office, as if although there is somebody who is qualified for the post before the age of 45, he should not apply. I have innumerable instances where notices issued by the Federal Public Services Commission and by the Provincial Public Services Commission put forth such kind of unreasonable restrictions. But they are helpless. The office prepares the terms of the advertisement and the people in the Public Services Commission take shelter under the office. They manipulate the notices in such a way that none else than certain persons find the job. The Federal Public Services Commission and the Provincial Public Services Commission are helpless. With these words I support the motion.

Sardar Sant Singh (West Punjab: Sikh): Sir, I rise to support this motion moved by my Honourable friend, Rao Sahib Sivaraj. Sir, the Circular of July, 1934, has now been in operation for the last eight years. It is time that this Circular was modified in view of the serious changes that must have taken place on account of the working of the Circular in various branches of the Central Government. My Honourable friend, Sir F. E. James, asked me about the Sikhs. I must say that the Sikhs are dissatisfied with the working of that Circular. My Honourable friend, Maulvi Muhammad Abdul Ghani, has just shown that the Muslims are dissatisfied with the working of that Circular. Is it not time then that a committee consisting of Muslims, the Sikhs, the Hindus, my Honourable

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friend, Sir Henry Gidney's community, the Anglo-Indians, and including the Europeans should be appointed

Rao Sahib N. Sivaraj: What about my community?

Sardar Sant Singh: I beg your pardon; including my Honourable friend, Rao Sahib Sivaraj.

Rao Sahib N. Sivaraj: When the time comes, my community is always forgotten.

Sardar Sant Singh: A committee including Rao Sahib Sivaraj as well should be appointed to review the working of this Circular during the last eight years. The object of that committee should be to explore and arrive at an agreed formula between all the communities which should satisfy everybody. It is no good insisting upon a formula which has been in existence for the last eight years and which does not satisfy anybody. Certainly, it will be possible for such a committee to sit together and discover a formula which should be equitable and just to all communities. I do not think, Sir, that the Government will be a loser by appointing such a committee. Unfortunately, in this country, Honourable Members who sit on the Treasury Benches think that whatever they have done, that is the last word on the subject. They are not progressive, they do not move with the times. They do not make alteration when circumstances change. The result is that dissatisfaction spreads through all the ranks, and those, whom they try to satisfy by finding out a formula, fail to satisfy them. I think the Honourable the Home Member will reconsider the situation and appoint such a committee which should be helpful to all the communities and yet be helpful to the Government.

Sir, I do not want to enter into any complaints or grievances, because it is futile to do so. The fact remains as my Honourable friend, Maulvi Muhammad Abdul Ghani, has stressed that the formula may be there as expressed in the circular of 1934, but the working of the formula, and the manipulation of its working has created a good deal of heart burning in all the communities. Year in and year out, in the General Budget and, during the discussion on the Finance Bill, we find all communities complaining about the working of this Circular, recruitment to the services and promotion to higher ranks. In this connection, it may not be out of place to bring to the notice of the Honourable the Home Member and other Honourable Members of this House that the efficiency of their administration is suffering on account of the formula. Most of the officers are busy in intriguing at the time of selections and promotions as to how and what methods should be used to put in a man of their own community to the highest places. I know of many instances where a particular officer belonging to a particular community trying to push up a member of his own community at the time of selection and at the time of recruitment irrespective of the effect upon the efficiency of the administration. We are passing through very critical times when a great strain is being laid upon the administration; and, as time passes, we are afraid the strain will become greater and greater every day. This strain must be to some extent removed if the administration is to run smoothly during these hard times. I will, therefore, suggest that the Home Member should accept this suggestion and appoint a committee consisting of all the minorities together with the majorities to reach some agreed formula as

to their share in the administration of the subjects under the Central Government. Sir, I support the motion.

Bhai Parma Nand (West Punjab: Non-Muhammadan): Sir, I intervene in this debate for the simple reason that I do not agree with the views of the Honourable Members who have spoken so far. My idea is that this debate has taken an altogether wrong turn. With regard to the motion of Rao Sahib Sivaraj I have no quarrel at all. If the public service is to be considered as something to be divided among the people, different classes will put forward their claims and Rao Sahib Sivaraj also will have his claim which should be duly considered and his share should be given to him. But my idea of public service is that persons entering the service must take it as their duty to serve the people and the country; and if it is taken in that light it is immaterial whether a particular community gets any share or not. I think that public service is not a thing to be divided among the people and instead of public service being shared like property between one class and another the proper course is that the best and most efficient men should be chosen to serve the country. Let us take the example of the United States of America where there are people of different nationalities. Even now you find there Frenchmen, Germans, Italians, Irish, etc. I have lived there for some years and I never heard that these people are quarrelling about the so-called loaves and fishes which are at the disposal of the Government.

An Honourable Member: What about the negroes?

Bhai Parma Nand: Their case is different.

Several Honourable Members: Why is it different?

Bhai Parma Nand: I will deal with that later on, if time permits.

If we think that we have to make a nation for the service of the people and the country, different sections of the people have no right to put forward their claims separately; and it cannot be one country or one nation if 15 or 20 sections that are there claim a separate share in the public services, which must be taken to mean quite different from the so-called loaves and fishes.

Then, Sir, we come to social disabilities. My Honourable friend, Mr. Ghiasuddin, spoke about the disabilities of the depressed classes. I admit there are social disabilities but they have been there for thousands of years and people so far never heard of them or cared about them. They have been putting up with them so long but now on account of modern education and spread of new ideas we are awakening to a sense of these disabilities. Even the leaders of the depressed classes never made any complaint about them. I can however say about the Punjab that the caste-Hindus there have been the first in India to take up this reform movement and they have done their best to improve the condition of the depressed classes. Marriages have taken place among the high-caste people and the depressed classes. There have been common dinners. Both classes have worked together and have built temples for them. Even the Punjab Government, at the time of framing the new constitution, expressed their opinion that there were no disabilities for the depressed classes, and they recommended that there should be no separate communal privileges given to the depressed classes in the Punjab. Thousands of them in the towns and villages have been given the full status in society; they

[Bhai Parma Nand.]

have been allowed to take water from the wells and springs. I think social disabilities have nothing to do with the constitutional questions we are discussing in this Assembly. Years before, all over India there was despotic rule in this country and in those days no one ever thought of the public services or claiming any share in them. The question of their social disabilities was in the forefront and reformers in Bengal, Maharashtra and even in the Punjab were trying to remove their social disabilities and raise their status. In the Punjab the Sikhs did it; Guru Govind Singh himself took the *Chamars* who are considered the lowest class, into his own service, made them his disciples and gave them practically full privileges. My point is that this is purely a matter of social reform just as the question of widows. Even now we find one crore of widows in Hindu society who are left uncared for. It is a concern of that community itself, and its leaders are trying to do what they can for the relief of these widows and even to introduce the custom of re-marriage. Similarly I say that in the Punjab we started the movement for the total abolition of the caste system, with the distinct idea to raise the depressed classes and create a sense of equality among the different sections of the community.

Sir, when we talk of the old customs that have been in existence for thousands of years, we cannot blame any body for it. We are now of determined mind that the Hindus are one nation. On the other hand if we thought that Hindus and these depressed classes are entirely separate communities, then of course Scheduled Classes have a perfect right to claim their share according to the population. But those who take the depressed classes as a part and parcel of the Hindus and have been considering them as Hindus all these centuries, cannot understand the grievance that the depressed classes have not been recognised as a separate class. Sir, I have got a feeling of affection and regard for the depressed classes and I would represent their case just as much as my friend, Mr. Sivaraj, has done. No doubt their number in services has been very small. That is the old constitution. According to the new Communal Award they have got

Mr. M. Ghiasuddin: They do want the protection of the Communal Award.

Bhai Parma Nand: You confuse social disabilities with political disabilities. Political disabilities are there. You consider that depressed classes are something quite distinct from the Hindus but if all the representatives of the Hindus in the Assembly take them as their brethren and try to do whatever they can for them, then I think there is no need of raising this question that they should be given separate representation at all. But, Sir, as it is, everybody is trying to create a division. Even the Jats amongst the Hindus are trying to create a Jat community. Even non-Brahmins in Maharashtra are trying to create a separate community. If in this way we go on dividing the country into separate communities then, of course, there will be no end to it and no hope of developing any national feeling in this country and of uniting them all as one nation. We shall have to give up the thought of dividing these loaves and fishes for ever. Therefore, I say that we have our own views according to the ideals that we have before us and we have a right to bring them into action.

Sir, I will take one minute on the question of Negroes in the United States. The Negro question is not

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not solve the Negro question for the United States.

The Honourable Member had better confine himself to the motions before the House. He has only two minutes more.

Bhai Parma Nand: Sir, I wanted only to show that this subject had taken a completely wrong turn, but I am not anxious to take up the time of the House any more.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, but for the very curious turn given to the debate by the last speaker, my Honourable friend, Bhai Parma Nand, I had no intention to intervene in this debate. The motion before the House, moved by my Honourable friend, Mr. Sivaraj, is a very simple one and if properly construed there can be no reasonable objection to the House and the Government agreeing to the motion as moved by Mr. Sivaraj. He, if I understood him aright, wants a certain proportion in the services to be fixed for his community and the reason for that desire on his part appears to be that in the actual working of the Resolution of 1934 on the subject of Communal representation in the services his community does not appear to have been fairly treated so far.

There can be two ways of looking at the orders passed by Government in 1934: Firstly, that those orders were unjustified, were not wanted at all and have in actual practice done harm and should be altogether cancelled. The other way is that the Resolution passed by the Government on that subject was justified and laid down principles which if properly worked would lead to satisfaction all round and fair treatment of all communities concerned. There is possibly a third way also, namely, that although the Resolution when passed was good enough for the circumstances then existing, certain circumstances have since come about which necessitate a revision of that circular.

As has been already pointed out, Sir, especially by my Honourable friend, Sir Fredrick James, there are distinct paragraphs in
1 P.M. the Resolution of 1934 which when properly considered and construed have, if at all, only this defect that the share of the depressed classes or scheduled classes, whatever you may call them, is included in the share of the Hindus, and it may have been—probably in fact it was—that in the actual working of the Resolution whenever the claims of Hindu candidates and Depressed Class candidates came into clash, the claims of the latter were not recognized, and they suffered in consequence. Now, it has been said, Sir, by speakers of my Party who preceded me that as far as the recognition of a fair share of the depressed classes out of the share awarded to the Hindus is concerned, nobody can have any reasonable objection and we have no objection at all. But: Bhai Parma Nand appears to be living in Utopia when he says that the matter is being treated as if appointments to the public service were so much property which certain classes were entitled to share in certain proportions, that from his point of view public service is a sacred duty to be performed by those who happen to be appointed to it and there is no question of dividing that duty like property. Well, Sir, I would have no objection to such a proposition if I could be satisfied that we are living under ideal moral and spiritual conditions and that we, all of us,

[Syed Ghulam Bhik Nairang.]

are so many angles with no prejudices, no personal interests, no inclination towards favouritism or nepotism or anything which could be objected to as improper, we are inclined to deal fairly with everyone, and therefore if I happen to be holding a certain position, I am as good as anybody else. Why should anybody object to it? If, on the other hand, my neighbour holds that position he is quite as good for it as I. Why should I object? That would be a veritable Utopia which, fortunately or unfortunately, has no existence anywhere. The fact is—and that fact cannot be denied—that this land of ours, India, is inhabited by not one people but so many peoples; and those peoples differ from each other not only racially but from the point of view of religion, social structure, customs, manners, culture and everything that makes two men agree or disagree. These different peoples all differ from each other.

There is another circumstance that owing to the position of the majority community or nation or people in the public services, the great insuperable difficulty has arisen that that community is interested in maintaining the *status quo*: they say *factum valet*—I happen to be in charge of this office, therefore I shall admit only those whom I like; and of course my likes and dislikes are determined by my own religious views, my own social customs, my way of life, my culture, and I will not admit the others. This has been going on ever since the public services were organised in this country and this sort of sentiment and the treatment to which this sort of sentiment leads has been growing worse day by day, so much so that when things became quite intolerable, naturally there was a hue and cry from all quarters, quarters interested or rather quarters which suffered; and Government had to pass a Resolution in 1934; and it was perfectly justified. My friend, Sardar Sant Singh, has proposed that there ought to be a committee consisting of Muslims, Sikhs and others and that committee should sit and solemnly revise the Resolution of 1934 and suggest alterations and work out a formula as he says—these are days of formulæ—which would be agreeable to all parties concerned, and let that formula replace the Resolution of 1934. I say this is another way of hoping against hope. No such committee as is suggested by Sardar Sant Singh can usefully be constituted with any hope of any acceptable formula being evolved by such a committee. On the other hand, the suggestion of my Honourable friend, Mr. Joshi, is a very practicable suggestion. There may very well be a special officer appointed to examine from time to time and to keep an eye on the working of the Resolution of 1934. You will very shortly in connection with another motion hear the complaints of the Muslim community as far as the actual working of that Resolution is concerned; and other communities may very well have complaints as to its actual working. If an officer of the kind suggested by Mr. Joshi is appointed and it is made his business to keep a vigilant eye on the working of this Resolution, I think not only the complaints of the community whose rights are advocated by Rao Sahib Sivaraj but the complaints of all communities will gradually disappear and every one will come into his own

Sardar Sant Singh: Who will that officer be? What community?

Syed Ghulam Bhik Nairang: A Government officer,—not Sardar Sant Singh.

Sardar Sant Singh: Which community? Muslim?

Syed Ghulam Bhik Nairang: You have not heard Mr. Joshi

Sardar Sant Singh: That is the trouble

Syed Ghulam Bhik Nairang: He will not be Sardar Sant Singh.

Sardar Sant Singh: He will not be Syed Ghulam Bhik Nairang either.

Syed Ghulam Bhik Nairang: With these words, Sir, I support the motion of Rao Sahib Sivaraj.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I have considerable sympathy with much that has been said in the course of this debate, but I must point out that the motion itself was not ostensibly intended to raise the general question of the status of the depressed classes or what should be done to elevate it. The motion is concerned with the practical question of the recruitment to government service. In so far as other matters have been discussed, such as Mr. Joshi's suggestion that steps should be taken to make more members of the depressed classes available for public service, they are long distance solutions of the problem and have no immediate bearing on what should be done now. In fact if such steps can be taken effectively and more members of the depressed classes attain the necessary qualifications for government service, it will be unnecessary to reserve for them a special place in recruitment, and, therefore, in advocating that course Mr. Joshi is really speaking against the Resolution and not for it. After all Government did not create the depressed classes, nor could they abolish them by rule; and when Maulana Zafar Ali Khan says that it is unfortunate that the Government of India should treat them as depressed classes, that is the very thing which the Mover of the motion wishes us to do. We are quite ready to say we will not recognise the existence of the depressed classes; we will allow them to take their chances along with the other communities; then that is precisely the opposite of the object of the Mover of this Resolution; and, therefore, the question resolves itself into the practical question as I said of recruitment, and not one simply of finding employment for the depressed classes on the ground of their general deserts. When it comes to a question of recruitment, government have to look to the proper maintenance of their own services, and throughout the Resolution of July 1934, it will be seen that Government have never abandoned the principle that any one, whether he comes into public service in a reserved portion or not, every one must have a certain minimum standard of qualification. The 25 per cent. of vacancies reserved for Muslims and the 8-1/3 for other minority communities are in that Resolution expressly subject to the condition that in all cases the minimum standard of qualification will be imposed, and the reservations are subject to this condition. That was the reason for the view taken in that portion of the Resolution which was quite rightly quoted by Sir Frederick James for Government saying that they considered that no useful purpose would be served by reserving for the depressed classes a definite percentage of vacancies in the present state of their general education. The Honourable the Mover has said that once you fix a percentage you are sure to get the men you want. I wish it was as easy to get them as that. . . .

Rao Sahib N. Sivaraj: How do the Government of Madras get the men they want every time?

The Honourable Sir Reginald Maxwell: There may be men in Madras, I do not know. I say the mere fact that you reserve a certain percentage does not create qualified members of the depressed classes. For instance, last year we reserved in the I. C. S. examination one place specially to be filled by a member of the depressed classes, but we were unable to get one with the requisite qualifications. This year we are doing the same thing. . .

Rao Sahib N. Sivaraj: May I correct the Honourable Member on that point?

The Honourable Sir Reginald Maxwell: I have had a letter from the Honourable Member on that subject. . . .

(Rao Sahib N. Sivaraj again rose in his place.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not giving way.

Rao Sahib N. Sivaraj: It is a question of controverting facts.

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member should not interrupt.

The Honourable Sir Reginald Maxwell: This year, as I say, we are reserving another vacancy in the same way and the same thing is being done in the examination for Indian Audit and Account Service and other allied services, Customs Service and so forth. There again one of the unreserved vacancies to be filled by examination is to be reserved for a member of the depressed classes. Again, I may point out that Rao Bahadur M. C. Rajah has been appointed as a member of the Central Interview Board for the selection of candidates for commissioned ranks of the defence forces.

Rao Sahib N. Sivaraj: But that does not come under services.

The Honourable Sir Reginald Maxwell: That does not look as if we are not trying to make the best possible provision for getting these persons considered on their qualifications. My Honourable friend, Sir Frederick James, asked how many nominations have actually been made under the terms of 1934 Resolution since it was passed. I have not in the very short notice available for the preparation of material for a cut motion, been able to obtain the figures. All these figures are extremely difficult to extract, but actually statements showing the progress of recruitment of the various minorities are placed at intervals in the Library of the House and any one can find them there, though I regret to say that they are not very up to date. That is, the compilation of these statements takes so long that they are generally a year or two behind time, but still those statements, in so far as they have been compiled, do show that there has been a certain amount of progress in the recruitment of the depressed classes. I admit that up to 1939 there was a tendency on the part of recruiting Departments to overlook the special provision made in the 1934 Resolution, that is to say, in order to secure fair representation for the depressed classes duly qualified members of these classes may be nominated to a public service even though recruitment to that service is being made by competition. That provision

was not, I think, being properly observed, but in 1939, as a result of the annual Resolution on this subject or a cut motion,—I do not remember which,—the Government of India did issue a circular to all Departments saying that they were much concerned at the almost total lack of progress in the recruitment of members of the depressed classes as revealed by the information available, and they considered that special steps were required to increase the rate of recruitment.

In my own Department, so far as the ministerial staff is concerned, the practice is to offer a few vacancies not reserved for any minority communities, to candidates from the depressed classes who have attained a qualifying standard in the competitive examination in order to secure their representation in those services. We have recommended other Departments to do the same thing. Also it has been suggested that in the notices relating to recruitment a note should be inserted to the effect that candidates from the depressed classes who attain a qualifying standard may be shown some preference at the discretion of the department concerned. That is actually a quotation from our instructions. Moreover, the Federal Public Service Commission have made provision for space in the application forms where any member of the depressed classes can give particulars about himself in order that Departments may be able to pick out the depressed class candidates. As I say, these things cannot be achieved entirely by rule. If it could be done by rule, we would ensure by rule that a sufficient supply of depressed classes candidates was available, but the first and foremost thing is to secure the recruitment of the public service up to a certain standard of efficiency and we cannot altogether neglect that, although we can do our best to see that depressed classes have a fair chance.

Since the motion definitely recommends a modification of this rule, I am unable to accept it on behalf of the Government, but I can undertake to consider further the question whether it is possible to go any further with the consideration of the principle of the motion, namely, whether there should be any kind of separate reservation or not. I cannot accept that proposition on the face of it. It is far too big a question. I hope that the Honourable Member will be able to withdraw his motion on that assurance.

Rao Sahib N. Sivaraj: On the statement made by the Honourable the Home Member that he will further consider the principle underlying my motion, I beg leave of the House to withdraw my motion.

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

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. Chairman (Syed Ghulam Bhik Nairang) in the Chair.

DEMAND No. 10.—INDIAN POSTS AND TELEGRAPHS DEPARTMENT (INCLUDING WORKING EXPENSES).—contd.

Examinations for Inspectors of Post Offices and Present Day condition of Posts and Telegraphs Department.

Lieut.-Colonel Sir Henry Gidney: Sir, I move:

“That the demand under the head ‘Indian Posts and Telegraphs Department (including Working Expenses)’ be reduced by Rs. 100.”

[Lieut.-Col. Sir Henry Gidney.]

Sir, before dealing with the more general aspect of the Posts and Telegraphs Department, I feel I must refer to the particular question I have mentioned in my cut motion. The Posts and Telegraphs Department framed certain rules for the regulation of examinations held for the purpose of recruitment to the grade of Inspectors of Post Offices. These rules provide that an examination will be held every year by each Circle, among members of the staff of a certain age. The rule also prescribes the minimum marks which candidates should secure before being considered to have qualified for selection. And it is also provided that from among the candidates who have so qualified, the head of the Circle will select those who stand highest in order of merit up to the number of candidates required during that year and "reject the rest". I would particularly emphasise the provision—"reject the rest". Now, in the Madras Circle, in the year 1939, an examination was held and 13 men were selected in accordance with the rules which I have just now quoted and the remainder of the candidates were rejected. Next year, this Circle did not hold any examination, but it appears there was need for men to fill existing vacancies, and the P. M. G. took the unusual course of appointing 10 more men from among the "rejected" candidates of the 1939 examination list. I desire to stress the word 'rejected'. I brought this matter to the notice of the Department and was told by the Department that this was an "emergency measure". Sir, I ask, what is the purpose of framing rules and, mind you, which have not since been cancelled or modified, if they are to be disregarded within two years of their promulgation. These rules were framed and issued in 1938; only one examination has apparently been held after the rules were framed and, yet, those rules were disregarded in connection with that very first examination. I would point out that there is no provision at all in those rules for such a procedure. The rules require (1) the holding of examinations every year; (2) selection in order of merit of the number required for that year from qualified candidates and (3) the rejection of the rest of the qualified and unqualified candidates. While I admit that war conditions do constitute an emergency, it cannot be said that in the years 1939, 1940 and 1941 no suitable candidates were available for another examination. So, wherein comes the emergency measure? There is no provision for the resuscitation of the rejected list of candidates to suit even an emergency. The staff rightly contest that this selection of rejected candidates, after the P. M. G.'s failure to hold an examination in the next year, is *ultra vires* of the rules framed by the Government themselves and governing the matter.

I am quite prepared to agree that a mistake having been made in not having held an examination and as the emergency needed men, some men will have to be appointed. But without holding another examination and to now suggest that the appointment of such men should be a permanent measure and that they should be exempted from appearing and qualifying at the examination, I submit, is totally wrong and unfair; not only to the others, who qualified with them at the 1939 examination and who were rejected along with them, but to the younger members of the staff who have thus been denied 10 vacancies in the higher grade by a stroke of the pen. There is, again, no guarantee that no other P. M. G. will not repeat this procedure to the detriment of the staff. Sir, in the interest of the staff I feel I must ask that these men be treated as temporary and be required to appear at the next examination and stand an equal chance

with the other members of the staff. This is the only fair thing to do. Fairplay and justice demand that the rules must be observed strictly or else scrap your rules and establish the personal or the P. M. G.'s rules.

Now, Sir, having finished with that matter, I next desire to refer to the present position of the Telegraph Department. Rightly or wrongly, to my mind, the present position regarding the Telegraph Department is most unsatisfactory. I was about to say 'deplorable'. From the beginning of the present war there was the report that sufficient volunteers from the Department were not available for war service, as compared with the 1914-18 war. This I ascribe to the absence in the past of fore-thought on the part of the Department and the wholesale reduction of the signalling establishment. For 8 or 9 years there has been no recruitment at all to the signalling establishment, while there was heavy retrenchment of personnel. The Government aimed at commercialising the service, but apparently at the expense of efficiency by indulging in ruthless economy and reduction in staff, the main object being to convert a deficit budget into a surplus one and which was done at the expense of the toil, sweat blood and tears of the subordinate staff. I know this is a very much hackneyed saying and is quite Churchillian in character, but all the same it is very applicable to the present depleted staff as the after-thought of a surplus budget. When a public utility service is treated as a commercial proposition with the aim of being a source of revenue to the Government's Exchequer, there must inevitably be a breakdown during an emergency. The Honourable Member must know that the Telegraph Department in England is never treated as a commercial Department and that it works yearly at a huge loss, which deficit is yearly budgeted for. Why are you trying to make the opposite obtain in India and trying to make money out of this department to satisfy the needs of the Finance Department? The Department thus found itself unable to meet the needs of the emergency from the very beginning of the present war. Indeed it broke down like a pack of cards. For months we have had the sad experience of receiving telegrams a day or two after receiving the confirmation copy by post and of being advised not to use the Telegraph. What an indictment! Sir, if this is the position with the enemy still away from the borders of India, can you imagine what will happen when he is nearer the borders of the country or has invaded our country? I raised this question of inadequacy of staff and installations in November last. Has any adequate attempt been made to train the necessary staff since then? Has the staff been increased? I only hope that we shall not merely be told that everything is all right and things are allowed to slide. Can it be said that the present staff of the Department is adequate for our present war needs both in India and abroad and the further needs which we might be called upon to perform any day? If not, will the Honourable Member please state what he is doing to remedy the position? In a land of distances such as India, the Telegraph Department must play a very important part. It played an important part in the early days of this war and in the last war and I hope under the present able Director General of Posts and Telegraphs, that it will continue to play an equally efficient part in the present emergency. Sentiment and a policy—we must show a surplus budget—must be thrown to the winds and all such measures as will ensure efficient service must be adopted at once. I hope it will be done before it is too late, if it is not already so.

Another matter which I submit calls for the immediate attention of the Head of this Department, one whom we all welcome in office, as an officer

[Lieut.-Col. Sir Henry Gidney.]

who has the interest of his staff near at heart and whose one slogan I am sure is not "Reduce the staff—slog the staff", but we must present a surplus budget.

I now desire to speak on behalf of the Posts and Telegraphs subordinates who are, today, in receipt of less than Rupees 50 as pension. These humble servants were the pioneer builders of the very edifice of the Department as we see it operating today and it does seem a tragedy to witness the squalor and distress in which these once trusted servants exist today owing to the enormous rise in the cost of living. They need relief and at once, Sir, here I am reminded of a saying of the Finance Member in his recent Budget speech which suits this occasion very admirably—I refer to those entrancing and enlightening words he used—"embarrassing plenitude". Sir, I refer to those words with reference to the surplus made this year by the Posts and Telegraphs Department and yet these poor pensioners have every claim to the help of the present administration and which could easily be made by granting a few thousands from this surplus. I would rather say give these worthy elder and aged workmen of the past some relief than strive for a surplus budget as the D. G., Posts and Telegraphs has presented to the Finance Member. Indeed I claim that all pensioners of Government who are in receipt of the old starvation rates of pension are entitled to some substantial relief if only for the duration of the war.

I wonder if the Honourable the Finance Member or the Honourable Member in charge of Communications has ever turned his vision towards this set of humble servants who have served his Department so efficiently and loyally years ago. If he would only do so, he would see that their present plight is not comparable to the position of the present staff. With the staff today their one and only companions are the ringing of joy bells, the bells of luxury, the bells of plenty and the bells enabling them to spend money. The officials have enough salary to spend on whatever they want and the upper subordinates of today with their extra pay—they also live within the sound of the joy bells of pleasure and plenty and so have comfort. But compare this with these poor subordinates who worked for you and who retired on pension years ago before the new pension rules were sanctioned. Their only companion is the funeral bell, each toll of which tells the world that one of that rapidly reducing number is still further reduced till today they are but a few who cry out in their hour of need, who want help and who must be given help if the Department is to show any sense of human touch. Sir, I move my motion.

Mr. Chairman (Syed Ghulam Bhik Nairang): Cut motion moved:

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

Mr. Muhammad Ashar Ali (Lucknow and Fyzabad Divisions: Mubhammadan Rural): Sir, the Government generally recognise that the Post Office servants are the most hard worked people in the country. In the case of small servants, especially those Postmasters who are sent to small towns, they do not have much assistance. They work from morning till evening in these small post offices. They are not generally highly paid servants.

The subject of this cut motion relates to the examinations for Inspectors of Post Offices and present day condition of Posts and Telegraphs Department. Sir, I have to place before the House some of the questions which are set for these examinations. I hope the House will know when

I mention question after question, how difficult these question papers are. These are set for the competitive examination. This system of competitive examination came into being from the year 1939. Before that, generally the Postal Inspectors were recruited from the small servants of the Post Office, such as Post Masters and so on. I do not think the answers to questions that are asked at these examinations are such as could be expected from a postal employee. The following are some of the questions:

“1. What are the following :

‘gramophone, phonogram, teleprinter, telephone, dictaphone, telepathy, refrigerator, microscope, A. A. guns, telescope, loco. works.’

2. Give the names of the capitals of the following countries : Roumania, Thailand, Assam, Sweden, China, Australia, Hungary, Coorg, France (unoccupied), U. S. A.

3. On what railway systems would you travel in going :

(a) from Dhanushkoti to Peshawar.

(b) from Chittagong to Karachi via Lahore.

Mention in each case the names of five large cities that you would pass through.

4. What is the power that makes the following work :

(a) a machine gun in Egypt, (b) an engine on the N. W. Railway, (c) a mail motor bus. (d) a telephone, (e) the dynamo in a hydro-electric work, (f) a cinema film show.”

The Honourable Sir Andrew Olow: I am merely asking for information for the benefit of the House. I should like to know if these questions are set for the examination for recruitment of Inspectors of Post Offices to which the Honourable Member, Sir Henry Gidney referred?

Mr. Muhammad Azhar Ali: Yes, these are the questions set for the competitive examination for recruitment of Inspectors of Post Offices.

The last question is, an essay on war giving the developments so far. Sir, is it possible for these poor men working in village Post Offices to answer these questions? How dangerous it would be to enter into war essay for Post Masters? Do realize! These questions cover all kinds of subjects; some of them are scientific, some of them relate to machinery and some to politics and other things. I am sure if these questions are put to the higher officers of the Department they will not be able to answer them. They would be running a great risk!

Rao Sahib N. Sivaraj: What about Members of the Assembly? Will they be able to answer them?

Mr. Muhammad Azhar Ali: They, of course, can talk anything they like and so can members of the Government Benches. We are now concerned with these poor candidates for inspectorships. These are things which I recommend to the Honourable Member and the Director General of the Department to look into. These questions can be only answered by people who take the B.Sc. course or a course in Geography. Sir, I support the motion.

Maulvi Muhammad Abdul Ghanji: Sir, I have heard the questions put from my learned friend, Mr. Azhar Ali, and I want to know what is the net result after undergoing such a hard examination. A few years ago I found a committee of experts in the Posts and Telegraphs Department and certain Inspectors were called. They underwent an examination

[Maulvi Muhammad Abdul Ghani.]

and a list of six Inspectors was prepared in order of merit. They were from the Punjab and North-West Frontier Circle and it was decided that these six people would officiate as Superintendents of Post Offices in order of merit. The Director General was the President of that committee and he was a party to the examination; but after the examination it was painful to find that this decision was upset and the order of merit was changed. For instance, the second and third men were put down and the fifth and sixth men were put on top. What is then the use of holding an examination, and specially by the experts of the Department, when their decision is upset by one individual member of that expert committee? I am not relying on my imagination but it is a fact which the Honourable Member in charge of the Department can easily find out. Why was the order changed? Was it to suit the purpose of some individual official of the Department or was there any other reason? These things should be mended as soon as possible. There is much dissatisfaction among the employees of the Department and their grievance is that only such persons are given a chance who can somehow attract the attention of the authorities. Such impression should not be created in the mind of the employees which creates dissatisfaction, and such things make the holding of the examination useless and fictitious. Sir, I support the motion.

The Honourable Sir Andrew Clow: Sir, I wonder if the Honourable the Mover when he moved his motion expected that the debate would turn into a disquisition on examinations. I listened with some interest to Mr. Azhar Ali's list of questions. I thought they were interesting questions; but if he looks at the paper again he will probably find that candidates were expected to answer only a certain proportion of the questions. I go through an examination paper every third day in this House, and many is the time when I have looked hopefully at the top of the paper to see "Honourable Members are not expected to attempt more than five questions", but I have never found that there. But, surely, it is rather strange to find one Honourable Member complaining that the papers are too hard and the Mover complaining that people who have obtained high marks in that examination should not be appointed. Because that is exactly Sir Henry Gidney's proposition. This examination is intended to be held every year but not necessarily in every circle every year. It is an examination for Inspectors, as Sir Henry Gidney said. An estimate is framed of the probable requirements in each circle, and then on the strength of the examination a certain number of candidates are put on a list. No candidate is put on the list unless he has obtained 45 per cent. in every paper. The papers consist of one paper in general knowledge and English, the others relate to departmental subjects which should be familiar to the candidates. If my Honourable friend, Mr. Azhar Ali, was quoting the right papers I should have thought that gentlemen who obtained 45 per cent. in all these papers were entitled to serious consideration.

The exact position in the Madras Circle, and I may say in the Punjab Circle also a similar position arose, was this that unexpected demands arose for Inspectors. That was due to two causes, partly to the war because some members of the staff went on field service, and partly because new posts were created. These were exceptional circumstances which would not arise in a normal year, and I may say, rather an increase of staff which Sir Henry Gidney no doubt welcomes. Now, if it had been necessary to

hold another examination it would have meant considerable delay, and what the Postmaster General did, (and the Director General has approved this course) was to take from the list of candidates men who had not been included in the first list but who had obtained the qualifying mark. In other words they had acquitted themselves satisfactorily in the examination, although not high enough to be included in the first list, and appointments were made from those men to the extra posts. Sir Henry Gidney laid great stress on the fact that one of the rules contains a reference to rejecting the other candidates. It does. But I don't think there was anything inconsistent with the spirit of the rules in this action, and I do not see that anything wrong was done. He has complained that these men were 'exempted' from appearing in a qualifying examination. But they had already obtained qualifying marks in that examination and to ask that they should again qualify themselves would have led to a much stronger protest than Sir Henry Gidney has made today.

Lieut.-Colonel Sir Henry Gidney: What about those who are awaiting 3 P.M. promotion?

The Honourable Sir Andrew Olow: These were extra posts. These were unexpected posts, and they were filled by men who were qualified.

Lieut.-Colonel Sir Henry Gidney: But you will have no more examinations? Will you?

The Honourable Sir Andrew Olow: We will certainly need to have more examinations. Sir Henry Gidney has spoken feelingly of the effect on the younger members of the staff. I am given to understand that he himself pressed that in this connection the age should be raised and that his recommendation as a special case was accepted and the maximum age was raised from 35 to 40, so that all those who were previously eligible to sit in the examination would have been ineligible to sit if another one would have been held. But there was no reason, because they had already obtained qualifying marks in the first examination. The whole procedure seems to me to be not merely reasonable but quite fair.

Lieut.-Colonel Sir Henry Gidney: You don't apply this to other examinations like the I. C. S.?

The Honourable Sir Andrew Olow: If they find in the I. C. S. owing to the chances of a candidate failing in the medical examination that they want one or two more, they go one or two numbers down the list and here we had a somewhat similar case in having the need to meet unexpected demands.

I was not able to follow the Honourable Mr. Abdul Ghani's complaint. It was connected with Sir Henry Gidney's motion in that it relates to an examination, but there seems to be no other connection with the subject which was in the mind of the Honourable Mover. I am not very sure when it occurred, and I understand from the present Director General that he has equally no knowledge of the incident to which the Honourable Member was referring.

Maulvi Muhammad Abdul Ghani: I can give it in writing.

The Honourable Sir Andrew Olow: When was it?

Maulvi Muhammad Abdul Ghani: I think the examination was held in 1938 and reversion was made in 1939.

The Honourable Sir Andrew Olow: I hardly think that in the course of a debate on Demands for Grants we can go back to events in 1938 or 1939 and quite obviously I cannot come prepared to answer questions relating to a period when I was not in the Department.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan): You know everything by heart.

Maulvi Muhammad Abdul Ghani: This subject was raised on the floor of the House and it is contained in the debates of the Assembly.

Mr. Chairman (Syed Ghulam Bhik Nairang): One year's administration is under review and the matter should relate to that.

The Honourable Sir Andrew Olow: In view of your ruling, Sir, I won't go further into that, and I will pass to the more important question which Sir Henry Gidney raised and that is the adequacy of the staff. He complained, and there is some truth in the complaint, that in certain branches the staff have not been adequate to the exceptional pressure which the war has brought. But I would suggest to him that to some extent that is wisdom after the event. If he will cast his mind back to the debates in this House only a very short time ago, I think he will recollect that the pressure was for economy and for getting rid of superfluous staff and of keeping the staff down to the minimum that was necessary for the work. As I have said more than once, if he or I or other Members of this House had been able to foresee in 1938 the situation in which we find ourselves today we should have taken very different steps in a great many directions in addition to these.

Lieut.-Colonel Sir Henry Gidney: We agree there.

The Honourable Sir Andrew Olow: But efforts have been and are being made to increase the staff as rapidly as is possible. In the last year no less than two thousand permanent posts have been added in addition to the normal recruitment and a thousand temporary posts have been added. Sir Henry Gidney well knows that telegraphists cannot be created just by saving so. It is a trained and a skilled job but steps are being taken to train extra men with all the speed that is possible having regard to the need of having efficient men, and the training courses have been reduced in time and made more intensive. The importance of ensuring that the staff is adequate to the demands made or likely to be made on it is one which is very present to the mind of the Director General, and I think, I can assure Sir Henry Gidney that in his anxiety to see that the staff is not subjected to undue strain he will have the fullest sympathy of the officers at the Head of the Department.

Lieut.-Colonel Sir Henry Gidney: Sir, in view of what the Honourable Member has said, may I have the permission of the House to withdraw my motion.

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

Lieut.-Colonel Sir Henry Gidney: Sir, there is another motion standing in my name, but as time will not permit me to deal with the subject

adequately, and I am sure time will not allow the Honourable Member to reply, and as he is not in his seat—(possibly his Deputy will reply)—with your permission, I will not move my motion and reserve my remarks—I am making this provisional statement—when the European Group move their cut motion on Tuesday and which relates almost to the same subject.

Representation of Mussalmans in Services under the Posts and Telegraphs Department.

Mr. Chairman (Syed Ghulam Bhik Nairang): Now it is the turn of the Muslim League Party. Maulvi Muhammad Abdul Ghani.

Which motion is the Honourable Member moving?

Maulvi Muhammad Abdul Ghani: Sir, No. 6 on the Late List No. 1. I beg to move:

“That the demand under the head ‘Indian Posts and Telegraphs Department (including Working Expenses)’ be reduced by Rs. 100.”

Sir, the object of this cut motion is to discuss the failure of the Department to comply with the Home Department Resolution, No. F. 14/17-B/33, dated the 4th July, 1934, concerning representation of Mussalmans in services under the Department. Sir, there is a long-standing grievance of the Mussalmans so far as the services under the Department of Posts and Telegraphs are concerned. There are ten classes of services under the Department of which four classes of services are the key positions, the fifth one is clerical, and the rest are all inferior, and among this class there is another class of extra-departmental servants. This class is a temporary one. People serving in this category are not permanent. I will first try to show under each head the grievances of the Mussalmans. Taking up the senior-most—Gazetted posts—first, I want to lay before you the result of Muslim representation during the last five years 1935-36 to 1939-40, because the latest figure available to me is of 1939-40.

In 1935-36, there were 455 gazetted posts; the number of Muslims was 40—percentage 8.79. In 1936-37, the number of posts was 468, and the number of Muslims 41, percentage 8.76. In 1937-38 the total number of posts was 423, Muslims 43—percentage 10.16. In 1938-39 the number of posts was 407, Muslims 44—percentage 10.8. In 1939-40 the total number was 420, of whom Muslims were 46—percentage 10.95. So you will find that from 8.79 per cent. they have reached in five years to 10.95 per cent. i.e., an increase in five years of 2.16 per cent. or .43 per cent per year. This is the progress they have made and with this rate Muslims will take 58 years to complete 25 per cent.

Now, I want to submit the figures of direct recruitment to which much importance is attached. There were casualties due to deaths and retirements of 227 posts during 5 years. Out of this 227, only 36 posts were allowed to be filled by direct recruitment during these five years. In 1935-36, out of 48 seats, only eight were open for direct recruitment, and of these five went to Hindus and three to Muslims. In 1936-37, out of 41 casualties, four were filled by direct recruitment and all the four went to the Hindus. In 1937-38 out of 52 seats, nine were open to direct recruitment, out of which five went to Hindus, one to an Anglo-Indian and two to Muslims, one to Indian Christian. In 1938-39 out of 48 seats, six went to direct recruitment, of which five went to Hindus and one to a Muslim. In 1939-40 out of 38 casualties, nine were allowed for direct recruitment,

[Maulvi Muhammad Abdul Ghani.]

of which six went to Hindus and one to a Muslim, one to Sikh and one to Indian Christian. So out of these 86 seats filled by direct recruitment, Muslims had only seven seats, and the Hindus got 25 seats, i.e., 69.46 per cent. Of the 191 seats kept back, I find from comparison of figures in the postal report that one seat by way of promotion was allowed to a Muslim in 1936-37 and one more in 1939-40. So out of 191 seats which might have been filled by promotion, only two went to Muslims. Thus out of the total of 227 casualties, only nine seats were allowed to Muslims which comes up to 3.99 per cent in 5 years. This is the condition of the gazetted posts.

Now, I come to the second class—"Engineering supervisors and electrical supervisors. In 1935-36 out of 279 the Muslims were 13—percentage 4.65. In 1936-37 out of 295, Muslims were 14—percentage 4.74. In 1937-38 out of a total of 293, the Muslims were 14—percentage 4.77. In 1938-39 out of a total of 290, Muslims were 12—percentage 4.13. In 1939-40 out of a total of 284 Muslims were 12—percentage 4.2.

If you compare these figures, you will find that the progress of Muslim representation from 4.65 per cent came down to 4.22 per cent. in the reverse direction; and in the meantime the Hindus increased their percentage from 38 per cent to 49.64 per cent.—an increase of 11.64 per cent. in five years.

Let us take the figures of direct recruitment. Direct recruitment was made in these 5 years for 42 posts, of which two went to Muslims and 36 went to Hindus. The percentage of Hindu seats was 86.71 and the Muslim's percentage was 4.76.

Now, I come to the third class of services, called wireless supervisors and wireless operators. In 1935-36 there was a total of 154, of whom the Muslims were six—percentage 3.89. In 1936-37 the total was 165 out of which Muslims were six—percentage 3.69. In 1937-38 the total was 171, of which Muslims were six—percentage 3.5. In 1938-39 the total was 206 of which Muslims were eight—percentage 3.8. In 1939-40 the total was 198 of which Muslims were eight—percentage 4.14.

Let us take up the direct recruitment during these five years. In 1935-36 two posts were filled by direct recruitment, and none went to Muslims. In 1936-37, 19 posts were filled by recruitment and all the 19 went to Hindu friends. In 1937-38, 46 seats were filled by direct recruitment and all the 46 went to Hindu friends. In 1938-39, 34 seats were filled by direct recruitment, 28 went to Hindus and 2 to Muslims and the rest to others. In 1939-40 there was no direct recruitment. So out of a total of 101 seats filled by direct recruitment only two seats went to Muslims—percentage 1.9. This is the state of affairs. You may very well judge whether it is going in the forward direction or in the backward direction. In this class of service, Hindus increased from 18.18 per cent. in 1935-36 to 57 per cent. in 1939-40. During these five years the Muslims increased from 3.89 per cent. to 4.14 per cent. and the progress made is .25 per cent. during five years, i.e., .05 per cent. per year.

There is a fourth class—called Telegraphists and Telegraph Masters. In 1935-36 out of a total of 2,447, the number of Muslims was 124—percentage 5.06. In 1936-37, the total was 2,874, the Muslims were 98—percentage 3.91. In 1937-38 the total was 2,127, the Muslims were 85—percentage 3.99. In 1938-39 the total was 2,074, Muslims 82, percentage 3.95. In 1939-40 the total was 2,085, Muslims 81—percentage 3.93.

I know it will be urged by the Department that during these five years no direct recruitment was made in this class. But there were casualties and retirements and all those went to one particular class of people—Hindus. If you will compare the figures you will find that the position of Hindus in the service was 37·31 per cent in 1935-36, and it went up to 48·89 in 1939-40. There was a gradual rise. So out of 318 losses by Anglo-Indians and 33 losses by Mussalmans in 1936-37, 288 went to Hindus. The Hindus' increase during the five years was 11·58 per cent. whereas, in the case of the Mussalmans there was a decrease during the five years by 1·08 per cent. So, the clock, instead of going forward, moved in the backward direction.

Then, take the clerical staff. Perhaps it may be said that our case is made good there. But, there our share is not more than 25 per cent. even in direct recruitment. Taking all the five years together, you will find that in the year 1935-36 it was 18·03 per cent. and then it went up to 19·39 per cent. ultimately in 1939-40. But out of the direct recruitment the number of which was 4,040, the number given to Mussalmans was 1,029, and this came to 25·2 per cent. This is the case only of direct recruitment, but taking direct recruitment and the existing together, the position of Mussalmans in clerical service was 19·39 per cent. in 1939-40. I find from the report that everywhere promises are being made, but it is said that it was a case of 30 years and at least some time will be required for the Mussalmans to gain their position. It will take not 30 years but 60 in some cases or 90 years in other cases if Mussalmans are allowed to have 25 per cent. share in services under the Department.

Mr. Chairman (Syed Ghulam Bhik Nairang) : The Honourable Member has two minutes more.

Maulvi Muhammad Abdul Ghani : Thank you, Sir, that is enough. In that case the Mussalmans will take in some cases 60 years and in other cases 90 years. This is the condition in a Department which tries to have the confidence of all the public. I have moved this cut motion not to find fault with any person but to urge the grievances of the Mussalmans and in order that the Honourable the Communications Member may realise whether injustice has been done to the Mussalmans or not. I have already spoken about direct recruitment, and in case where no direct recruitment has been made and seats have to be filled by promotion, there too our case has gone by default. The case of direct recruitment tells its own tale and the figures given are not mine. I have only worked out the percentages from the figures given in the postal department's reports of the five years. In the end, I may submit one thing. I ask whether such a state of affairs should be allowed to continue. With these few words I commend my motion to the acceptance of the House.

Mr. Chairman (Syed Ghulam Bhik Nairang) : Cut motion moved :

“That the demand under the head ‘Indian Posts and Telegraphs Department (including Working Expenses)’ be reduced by Rs. 100.”

Mr. Muhammad Nauman (Patna and Chota Nagpur cum Orissa : Muhammadan) : I rise to support the motion of my Honourable friend which has been moved on behalf of my Party. I do not want to indulge in a statement of figures because that would not improve matters at all. On the one hand, the figures have been quoted by my Honourable friend, Maulvi Muhammad Abdul Ghani, and on the other, I think the Honourable

[Mr. Muhammad Nauman.]

Member himself has studied them more than we can do in the short time at our disposal. You will find that the position of Mussalmans in every Department of the Government of India is about nine or eleven per cent. or something in this neighbourhood. The plight of my community has been miserable everywhere. I rise with a heavy heart to mourn the plight of that community in every Department and probably in every Branch. Unfortunately, within the course of the last 150 years we, the Mussalmans, have been reduced to a position where instead of being distributors of bounties and amenities, we have had to beg a share in slavery with a beggar's bowl and even that share is being refused to us. That is the position of Mussalmans and I want the Government of India to realise this tragedy. We have been talking about this in this House for some years; at least for the last eight years I have been tabling one out or the other on paucity of Muslims on Railways, on Post Office, and in other Departments and we have been beguiled by promises of some kind or the other on all occasions. In 1934, we were told that things would now come to us in a very normal way by the Resolution of that year, by the Home Department, but the working has shown that all that glitters is not gold and ways and means were found out to defeat the particular purpose of the Muslims for which the Resolution was brought into force.

I want to press on the House that the Honourable Member in charge of Communications should see for himself what proportion of services has been given to us. I am particularly talking of the Postal Department and he knows too well what has been our feeling about the Railway Department as well. We have been having lot of discussions with him about this Department for many years. Sir, this is the unfortunate story of my community everywhere. What I want to say before the House is that we have no quarrel with the Hindus or with the Anglo-Indians. They have got as much claim on the spoils of this country as any other people have. I do not suppose that they could be made responsible for the present position. They are not in charge of the administration. The British Government is in charge of the administration of the country and the British alone can claim to say that they are the distributors of the booty. As such, our quarrel could not be with the Hindus or the Anglo-Indians. In fact, our quarrel is with nobody except the Government who is responsible for this. We want our own share and we want it from that authority which is responsible for the administration of this country today. I think it is in the fitness of things that we should claim our right. We have been asking for that from time immemorial and I think my Honourable friends belonging to other communities have also supported us in that claim. If I remember aright, I can cite the name of my Honourable friend, Sir Henry Gidney, who is sitting in my front and who supported me in that demand only year before last. He thought that our claim was being neglected or some plea or other was being found out to treat us in a manner that would defeat the purpose of the so-called Resolution of the Government of India in 1934, agreeing to give us 25 per cent. share in Central Government.

Now, Sir, I do not know what else we can say. We have not got the power to compel the Government to come to our way of thinking. As accredited representatives in this House we have been stressing this point from 1926 onwards. We have not neglected this question on any occasion. We have done our duty. We have drawn the attention of the House and

of the Government through cut motions, Resolutions and by all constitutional means that were open to us. In spite of all this, you will find that story of the Muslims claims remains where it began.

Now, I only want to know from the Honourable Member what was the use of the 1934 Resolution when all posts of vantage and position were not thrown open to direct recruitment and were filled in by promotion. I know full well that my community has not been able to capture inappreciable share of those posts. There was little or no chance of my community getting a share when the whole thing was turned to indirect recruitment. It was said that in any case within 30 years things must be righted. If there is any truth in that statement and if Government mean an honest statement to this effect, then when the position is reviewed from 1934 to 1941 we should have made an appreciable progress. Supposing in 1934 in the Postal Department or in any other Department we had about ten per cent. of representation, then by this time we should have gone up by about another seven or eight per cent. My friend, Maulvi Abdul Ghani has shown to the House that the improvement has not been more than two per cent. within the course of the last five years. If that is the position on record, I do not know what the Government representative will say about it and how will he explain the position. Of course, I know everything can be explained away. Some plea can be found for every action. A lawyer can probably take brief for even confirmed murderers. All the same, phrases would not turn away the facts. Facts have got to be met by facts and nothing else. These things have got to be proved from the statement which Government have prepared. This is not the statement which we have prepared. We have got no means to know exactly what is happening. We know only what Government tell us, and that reveals a position which is very tragic for my community. With these few words, Sir, I support the motion.

The Honourable Sir Andrew Olow: Sir, this motion has come to me as a surprise because there is no Department within my knowledge in which more scrupulous care has been taken to adhere to the terms of the 1934 Resolution than the Posts and Telegraphs Department. Now that Resolution, as Maulvi Abdul Ghani quite fairly pointed out, relates to the new recruitment and to new recruitment only. I would urge my Muslim friends to agree with me that it is impossible to measure the extent to which that Resolution is being carried out by quoting totals of the percentage held in different classes.

Mr. Muhammad Nauman: May I ask one question? There were 227 vacancies in one year and only 30 were declared for direct recruitment. What could have been the sense in this to fill all the other vacancies by indirect recruitment when you knew that the number of Muslims was very few?

The Honourable Sir Andrew Olow: I think the Honourable Member was referring merely to Gazetted posts.

Mr. Muhammad Nauman: Yes.

The Honourable Sir Andrew Olow: Undoubtedly, a large number of Gazetted posts are filled by promotion. But we are dealing at present with the position since 1934 and in recent years there has been no change in that position. There has been no transfer, for example, of posts which

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were formerly recruited by direct recruitment to promotion. The tendency, as Sir Henry Gidney complained some time ago, has been rather the other way and there has been no change in that position. The test by which I and the Department must be judged—and this is the only test which can be applied—is how far the figures of direct recruitment fulfil the obligations of 1934? If they do not come up to these obligations, is there any reasonable explanation for it?

Now I am going to apply that test and I am going to begin with the total figures of new recruitment for the whole Department, both Gazetted and non-Gazetted. In no year since 1935 has the total figure of Muslim recruitment fallen below 25; in most years it has been substantially above it. In 1935 the figure was 30·6; in 1936, it was 33·6; in 1937 it was 29; in 1938 it was 28·3; in 1939 it was 30·7 and in 1940 it was 27·1.

Maulvi Muhammad Abdul Ghani: I have already said that the percentage is made good by the appointment of peons and other menial staff.

The Honourable Sir Andrew Clow: If the Honourable Member had done me the courtesy of listening to me to what I have said, he would not have made that interruption. I said that I am dealing with the totals first and I will come to the particular classes later on. The average of the figures that I have given is 29 per cent for that period since the Resolution was passed. Let me come to the effect on the total strength. It is complained that the percentage of the total strength has been rising slowly. It is, because it has always been a good one. In 1936, the total percentage strength of Muslims was 22·2. It now stands at 23·5. In fact, it is very nearly the figure of 25.

Now, I come to one or two classes to which Maulvi Abdul Ghani particularly referred. I am sorry that owing to the speed with which we move he was not in possession of the figures which we ought to have been discussing primarily, namely, the figures for the last year available. He referred, I think in error, to years 1937-38 and 1938-39. Actually, our figures are for calendar years, and the last figures that he cited were, I think, the figures for 1939. However, I am going to complete the picture by giving the figures for 1940 which is the year with which we are particularly concerned in the present debate. In the Gazetted staff there were 12 posts directly recruited of which five went to Muslims, a percentage of over 40. In Engineering Supervisors there were 46 of which 12 went to Muslims, a percentage of 26. In the Wireless Operators there were 35 posts, of which they only secured four, a percentage of 11. I will return to that later. In Telegraphs out of 58 they secured 14, a percentage of 24. In the clerical staff out of 1,509 they secured 326, a percentage of 21·6. I will have some observations to offer on that class also. So, in the most important class of all, the Gazetted posts, they obtained far more than the minimum percentage. I have actually looked up the figures for the last four or five years and I find that they have obtained 25 per cent, under gazetted grades so far as direct recruitment is concerned. In the Engineering Supervisors cadre, they have also obtained more than the minimum percentage. On the wireless operators side, the fact appears to be that in this rather small group, they have not come forward in sufficient numbers. Every Muslim who obtained the minimum percentage of marks was appointed. That is a small and unimportant group.

Coming to the clerical staff which is one of the big groups in the Department, here the percentage was 21·6. Now, Sir, that of course as Maulvi Muhammad Abdul Ghani pointed out, can be made up by other classes, but I do not propose to fall back upon that. Recruitment to the clerical staff in one or two areas particularly has given us considerable difficulty. One of these areas, particularly, was Sind and I see I have awakened my Honourable friend, Mr. Lalchand Navalrai. There has been serious difficulty there in obtaining candidates. We recruit in the Post and Telegraph Department clerical staff roughly on a Divisional basis, that is a local basis, and it was brought to my notice two years ago that we did not obtain the minimum number of Muslim candidates. We looked into the examination tests to see whether we could find any reasonable ground for imposing a lower standard and we did lower the standard to obtain a few more Muslim candidates.

Mr. Lalchand Navalrai: You gave six places to those that did not pass the examination.

The Honourable Sir Andrew Clow: Yes, five or six places, as Mr. Lalchand Navalrai points out, were given to those who were not technically qualified according to the rules. We also imported, despite Mr. Lalchand Navalrai's objections, some Muslim candidates from the adjoining Province, if my memory serves me aright, to make up the required number.

Mr. Lalchand Navalrai: You have not been fair.

The Honourable Sir Andrew Clow: A similar difficulty has recently arisen in Bengal, where as my Muslim friends are aware, the standard of education of the whole Muslim community is perhaps not as high as it is for example in the Punjab. There also we looked into the examination papers and lowered the marks as far as we reasonably could. I will remind the House that in the case of these posts where we lowered the percentage of marks, we could have filled up the number from other communities who were coming in plenty, fully qualified for the appointment after obtaining the required number of marks. But we lowered the marks in order to ensure that there will be as little loss as possible of reserved appointments.

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

This matter of clerical recruitment has received my own particular personal attention and that of the Director General.

Pandit Lakshmi Kanta Maitra (Presidency Division : Non-Muhammadan Rural) : A very wrong policy.

The Honourable Sir Andrew Clow: Is it a wrong policy for me to attend to it personally? Perhaps it is. But the Honourable Member knows, as I believe my Honourable friends opposite know, that I have paid this question my particular attention in the last few years. In fact, I can claim, if you exclude questions relating to war, there is no question that has received my closer attention and more sympathetic attention than this question of ensuring that the Muslim community should receive every ounce to which they are entitled. I recognise, and I sympathise with this

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feeling that they started late. They are rather in the position of people who get on a bus at a later stage and find that the best corner seats are occupied. That is the difficulty and as regards adjustment, I am afraid only time can fully remove this inequality. But I can assure the House, and I can assure the Muslim community that we in the Communications Department and in the Posts and Telegraphs Department are extremely solicitous about the interests as conferred by the Resolution and that it is a matter constantly present to our minds. I think the record of the Department in the last few years has been a good one.

Pandit Lakshmi Kanta Maitra: Not the efficiency of the Department.

The Honourable Sir Andrew Clow: I do not think the efficiency of the Department has been in any way impaired. I do not believe it has. I look to my Muslim friends with confidence for co-operation in ensuring that candidates with the requisite qualifications come forward in adequate numbers for all the posts that we have.

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

“That the demand under the head ‘Indian Posts and Telegraphs Department (including Working Expenses)’ be reduced by Rs. 100.”

The motion was negatived.

DEMAND NO. 38—ARCHAEOLOGY.

The Honourable Sir Jeremy Raisman: Sir, I move:

“That a sum not exceeding Rs. 11,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1943, in respect of ‘Archæology’.”

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

“That a sum not exceeding Rs. 11,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1943, in respect of ‘Archæology’.”

Hardship and discrimination to which Muslim Officials are subjected in the Department.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I move:

“That the demand under the head ‘Archæology’ be reduced by Rs. 100.”

Sir, my object in bringing forward this motion is to bring to the notice of the House the hardships and discriminations to which the Muslim officials serving in that Department are subjected. The subject that the House will have to consider as formulated in my motion is somewhat the reverse of what was discussed on the motion of my Honourable friend, Maulvi Muhammad Abdul Ghani. There the question was whether due effect was being given to the Home Department Resolution dated the 7th July, 1934, and whether Muslims were getting their due and proper share or not. The question that we have to consider now is whether those Muslims who have already been admitted to Government service and who are serving in the Archæological Department are getting justice and fair play. Unless the terms of the Government of India circular of 1934 are considerably modified, it will not be possible

for most of us to secure justice for Muslim officials where step-motherly treatment is meted out to them. Let us see what the position in the Archæological Department is.

I welcome by Honourable friend, the Member in charge of the Department of Education, Health and Lands, to this House and I hope he will take due stock of the situation so far as the Department of Archæology is concerned. I will not be long because I believe facts should be more impressive than weighty words. The charge that I bring against the administration of this Department is the discrimination and hardship to which the Muslims are subjected, including victimisation, as evidenced in the acts of the head of the Department, the Director General of Archæology, against Muslim officials. So far as fair treatment is concerned, there is not much of it to be found in the dealings of the head of the Department with his Muslim officials. I regret to say that but I am forced to draw the attention of the House to that state of affairs. I will just put a few facts before the House to justify my asking the House to vote with me on this motion if it is pressed to a division.

I may say that there is a very large number of cases of discrimination shown against Muslim officials. The time at my disposal will not allow me to bring all these cases to the notice of the House and so I will content myself with drawing attention to a few which I think are amongst the most important. There were two Assistant Superintendents serving in this Department one of whom is a Muslim and the other is a non-Muslim,—in fact he is a Hindu. I did not want to mention names but in order to avoid confusion arising in the course of the debate I think the House would not mind if I were to mention names. It is not with a view to take any advantage of these names but I think my Honourable friend will be in a better position to understand my point and to follow my argument. There is Dr. Nazim and there is Mr. Srivastava. In 1927, Dr. Nazim was senior and Mr. Srivastava was junior. After the assumption of office by the present Director General, Dr. Nazim became junior and Mr. Srivastava became senior. The effect of this will be readily realised by the House, and I need not dilate on it at length. The direct effect will be that in the matter of promotion when these two officers are concerned, the senior man will get the chance before the claims of the junior officer are taken into account.

Then, there is also a very illuminating case to which I invite the attention of the Honourable Member. In the Department of Archæology there are two gentlemen,—Mr. Yasin and Mr. Sharma. Mr. Yasin is an M.A. who has contributed a number of articles to archæological journals dealing with archæology and displaying a certain amount of original research; the other gentleman, Mr. Sharma, is only a matriculate. This matter formed the subject of interpellation in this House on the 17th March, 1941, and from the questions put and answers given it transpired that though Mr. Yasin is an M.A. and though Mr. Sharma is only a matriculate, yet Mr. Sharma was given the post of an Assistant in the Department before Mr. Yasin, thereby making Mr. Sharma senior to Mr. Yasin. I also asked in this House whether there was any case in the Government of India in which a Muslim matriculate had been preferred to a non-Muslim M.A. and I wanted a reply, but as usual no reply was given to me on that point and I was asked to give due notice. Let us take a third case, and that is the case of Mr. Hamid Qursishi. This gentleman was Assistant Superintendent in the Department of

[Sir Syed Raza Ali.]

Archæology; he was found guilty of making an overcharge in travelling allowance and was duly punished. Now, I am sure no one in this House and no Muslim will have any sympathy with Mr. Quraishi for being punished for misdemeanour; but let us see what happened when a non-Muslim committed a similar fraud. He was Mr. K. N. Puri. He committed a similar misdemeanour,—also in the time of the present Director General,—and he wanted to charge Government an undue sum for travelling in a class by which he did not travel. He was caught by the Circle Superintendent who punished him but the Director General asked the Superintendent to cancel the order of punishment and took no cognisance of the matter himself. In fact, the Director General was perfectly prepared to sleep over the matter but for the interpellations put in this House by which the attention of Government was drawn to this matter and some sort of punishment was given to Mr. Puri. In spite of that,—to complete my argument,—it is strange that Mr. Puri was only recently recommended for a rather important post by the present Director General. Not only that. I understand that when the time for interview came, the Director General as the expert adviser to the Public Services Commission, sat on the committee of the Public Services Commission and pressed the claims of this man who, I understand, is going to be appointed to a higher and more important post. I invite the attention of the Honourable Member in charge of the Department to this series of irregularities,—although that word is only an euphemism and I feel inclined to use a stronger term, yet I will resist the temptation and not do so. I ask the Honourable Member to inquire into the series of transactions relating to Mr. Puri and find out what it is that prompts the present Director General to favour Mr. Puri by hook or by crook.

Another case is one relating to the Frontier Circle. There it appears three officers were found to be not so efficient as to deserve increments of pay. Two of these officials were Muslims and the third was a non-Muslim. The increments of all these three were stopped. The two-Muslim officials appealed against this order of stoppage of increment, and the appeals were rejected by the present Director General, whereas, in the case of the non-Muslim official his increments were restored with retrospective effect. I need hardly say that all this has happened in the regime of the present Director General of Archæology.

Mr. Lalchand Navalrai: Sir, I rise to a point of order. Sir, I do not want to obstruct this debate, but

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar
4 P.M. (Commerce Member): What is the point of order?

Mr. Lalchand Navalrai: I am coming to the point of order.

Mr. President (The Honourable Sir Abdur Rahim): Well, the Honourable Member should know that according to the Standing Order a point of order should only be stated. No speech is necessary.

Mr. Lalchand Navalrai: On a point of order. I want to know whether this is a matter of public concern?

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

Sir Syed Raza Ali: Sir, may I congratulate my Honourable friend on his timely point of order. If this is not a matter of public concern, surely the looting of the people of Sind by disorderly elements will not be a matter of public concern either. Now, resuming my speech.

Mr. Lalchand Navarai: Sir, I had to say something on that point of order.

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

Mr. Lalchand Navarai: Sir, I wanted to give my reasons for it.

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable the Mover should continue.

Sir Syed Raza Ali: Sir, there is another case which also is a very interesting one. I do not know really what to emphasize—the interest that attaches to this case or the impudence that was displayed in dealing with this case by those who were responsible for it. The case is this. There was a Photoprinter in the Archæological Department. He was a peon but he had worked as Photoprinter a number of times. On the retirement of the Hindu Photoprinter he was appointed to officiate in the vacancy. In the meantime, the Director General abolished this post of Photoprinter and substituted in its place the post of Photographer-Draftsman. The vacant post of Photographer-Draftsman was advertised and applications were invited. A large number of competent candidates—both Hindus and Muslims—applied for it. Now, mark, Sir, how the Director General behaved. He refuses to go into those applications and appointed a Brahmin to this post for reasons. I believe, unknown either to my Honourable friend or his predecessor. On the question being raised on the floor of the House and the attention of the Honourable Member being drawn to it, the Government interfered and that post was again advertised. I can give dates to the Honourable Member but as the time at my disposal is very short, I will not do so now.

The other case concerns the Epigraphist who has been appointed to officiate as Deputy Director General. Now, so far as the Epigraphist himself is concerned, I have not a word to say against him, but I am here to impugn the policy underlying this gentleman being brought over to the Government of India and appointed as Deputy Director General. Let me inform the House very briefly that until now the policy of the Government of India has been not to appoint any technical man to any administrative post, namely, the post of Deputy Director General or Director General. But for this Dr. Sastri who was a very eminent epigraphist would have held the post of Deputy Director General. Similarly, Mr. Sanaulah who is a very distinguished Chemist would have held an administrative post but none of them was appointed. Uptil now that has been the policy. Till my friend, Mr. Tyson, who is no longer a member of this House, enunciated the policy of the Government of India last year in answer to my question, none of us knew that the Government of India had made a departure from their settled policy. So, I invite the attention of my Honourable friend to that point, namely, is it right to bring a technical man to work in a very important administrative post? If you do that, you will have to consider other claimants.

[Sir Syed Raza Ali.]

some of whom are Mussalmans. But I am not raising that question. I invite the attention of the Honourable Member to the policy underlying this appointment.

Now, I will mention a very recent happening in which, I am sure, this House and my Honourable friend will be interested. The post of Archæological Chemist will shortly fall vacant. On a question being put on this subject in this House, Mr. Tyson on behalf of the Government made this announcement:

"The vacancy is to be filled by the appointment of a Muslim."

That reply was given by Mr. Tyson on the 17th of March, 1941. In conformity with this reply, applications were invited and the Public Services Commission received a large number of applications. Of course, when applications were invited this post was advertised as being a reserved post, namely, reserved for Muslims. Now, the usual procedure of the Public Services Commission, with which body I was associated for more than five years, is that when applications are received they are gone through by a Committee and those candidates who are considered fit are invited to interview. They are interviewed and if the required number of applicants possessing the necessary qualifications is recommended by the Commission, appointments are made to the vacant posts by the Government of India. Now, all this procedure was departed from in this case. I do not know why the Public Services Commission did not go into these applications. It seems that things were manoeuvred in such a manner that it was held that none of the applicants possessed the necessary qualifications.

Sir F. E. James: Manœuvred by whom?

Sir Syed Raza Ali: That is what I do not know. I believe my Honourable friend will be able to satisfy our curiosity. The same curiosity is lurking in my mind too. Then, it was held that because this post was advertised as a reserved post for Muslims and because it was supposed that none of the Muslim candidates possessed the necessary qualifications the post was advertised again as being an open post, with this difference that formerly the qualifications insisted upon in the case of Muslim candidates were higher and this time the qualifications were somewhat relaxed. They ought to have been either the same qualifications or higher qualifications in the case of general candidates. But it was just the reverse. If my Honourable friend goes through both the advertisements he will find the difference.

I may just in passing also invite my Honourable friend's and this House's attention to some cases of interference by the Director (General). He also is interfering in the discharge of their duties by Muslim officials. I have got several cases in mind but I do not propose to take them up.

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

Sir Syed Raza Ali: Sir, may I have two minutes?

Mr. President (The Honourable Sir Abdur Rahim): No, no. The Honourable Member cannot have any more time. He has had twenty minutes already.

Sir Syed Raza Ali: I will just move, Sir. While moving I will say that the Government can always find it possible to explain or explain

away the conduct of its officials but I want my Honourable friend to discourage the perpetration of injustice and to see to it that even the highest official should not find it in his power to treat the different communities in this country differently. Sir, I move.

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

“That the demand under the head ‘Archæology’ be reduced by Rs. 100.”

Pandit Lakshmi Kanta Maitra: Mr. President, I had not the least desire to participate in this debate, and I feel considerable diffidence and delicacy in rising to speak on a subject which to me at least seems very unseemly. This question of discrimination and ill-treatment of the employees of a particular community by the head of the Archæological Department had cropped up before this House several times and this is not altogether a new motion. Honourable Members may remember that a goodly portion of the question hour of the last Budget Session was devoted to this subject by a section of the House, and it appeared to us that a regular crusade was being carried on against this Department. We had had the melancholy experience of having volleys of questions fired at the Department till we got sick. On one of the those occasions, fortunately for the House and perhaps fortunately for the Government too, the intervention of my Honourable friend, Sir Frederick James and the Honourable Dr. Banerjee, the Leader of my Party, and of my humble self by certain Supplementary Questions cleared a lot of misconception, inasmuch as they brought to light certain facts which seemed for the time being to give the quietus to the whole thing. On one occasion, when an air of injured innocence was sought to be given to the Party affected, we elicited from the Department, by Supplementary Questions, information which proved, that the charges made against it of partiality or discrimination had no legs to stand upon. Today, standing here, relying on my memory—I hope my memory does not play me false in this respect—I would like to remind the Honourable Member in charge of the Department that in reply to some of my Supplementary Questions, certain data were furnished to this House. Mr. Tyson, who used to represent the Department in those days is not in his seat today, and I do not think he is in this House—unfortunately he is now in a place from which he cannot intervene. He was forced most reluctantly to give out certain figures. Let us see what the figures tell. There are certain gazetted posts in the Department of Archæology. In the first-class gazetted posts, the representation of the Muslim community is over 40 per cent. The Hindus and other communities including Europeans fill the rest. There is another category . . .

Sir Syed Raza Ali: I do not want to interrupt the Honourable Member but he is wrong. There are four Muslims in a cadre of 18. He is wrong with regard to officers of the Department.

Pandit Lakshmi Kanta Maitra: The Department is there to check me or correct me because I have said already that I am relying on my memory; and if I am wrong the Honourable Member in charge will have to correct me. But I do make this statement that in the first-class of gazetted officers, the representation of Muslim community is above 40 per cent. In the second category, the representation of the Muslim community is only 10 per cent.

An Honourable Member: Not more?

Pandit Lakshmi Kanta Maitra: I do not know if the Department can give more than cent. per cent.: if they can they will

Mr. H. A. Sathar H. Essak Sait: Where does my friend get these figures? Is it from his imagination?

Pandit Lakshmi Kanta Maitra: In the non-gazetted posts, such as custodians, the representation of Muslims is over 80 per cent.; and in the Chemical Assistants Department, the Muslim representation is about 50 per cent. In the Archæological Scholars Department, the Muslims have not less than 50 per cent. Again, in the entire technical staff the representation of Muslims is about 30 per cent. In the clerical staff of the Director General of Archæology, the Muslim representation again comes up to 50 per cent. In promotions the percentage is about 60 per cent. In temporary appointments in the Department, the representation of the community is over 40 per cent. This is the picture I place before the House

An Honourable Member: From memory?

Pandit Lakshmi Kanta Maitra: Yes. If there is anything more correct you can give me, I shall abide by it. I want you to challenge me. I may be off the correct figures by 1 or 2 per cent. but that on the side of under estimate not on the side of excess. If I am forced to place these figures once again today, it is because a sense of duty impels me to do it. A distinguished public servant of a Department of the Government of India is being maligned; series of insinuations have been made against him and his administration; and I am surprised and even pained that such a matter has been brought before this House by no less a person than the Honourable Sir Raza Ali. While it is not my desire to indulge in communal bickerings, I think, it is necessary at times to tell the House that a fictitious grievance is often made and that the charges are very often made without due care and caution. Public interests demand that we should be cautious in levelling charges against distinguished public servants. The Director General and the Deputy Director General of Archæology are distinguished scholars, distinguished officers who have made great contribution to the Department and their contributions have been well recognised in this country and outside by persons who are best fitted to speak on the subject. That is well-known. I, therefore, think, that from this point of view, the point of view of Muslim representation in this Department instead of the Muslim Community having any cause for grievance, it is the other community that has got one, that is, that their legitimate share has been cut out and given as concessions to the clamour that has been systematically carried on. I enter my protest against that. If the Government of India want to stand by the Resolution of 1934, and if communities want to swear by that gospel, then I would warn the Government to bear in mind that the communities who are entitled to 75 per cent in all should not be debarred from their legitimate share.

Then, Sir, my Honourable friend, Mr. Lalehand Navalrai, wanted to raise a point of order. I think the point that he was making was not much a point of order. What struck me also was that if charges of this

nature were sprung upon us as a surprise, how would it be possible for us or for the Department concerned to meet them. The alleged facts placed before the House by Sir Syed Raza Ali can be neither confirmed nor contradicted by us. They are departmental matters.

Sir Syed Raza Ali: It is for the Department to answer. Why are you answering for them?

Pandit Lakshmi Kanta Maitra: It is the duty of every one of us to test or sift any statement that is made by an Honourable Member in this House and I am not a person to shirk that duty. Every Member is entitled to know what the charges are.

Maulana Zafar Ali Khan: Why are you raising the Hindu Muslim question? It must be a question of justice, pure and simple.

Pandit Lakshmi Kanta Maitra: Therefore, I submit that these minute details in administration which have been placed before this House are such that they can be neither confirmed nor contradicted. That is for the Department. But whatever the matter in issue, I cannot lend my support to this kind of spirit which is behind this motion, because I know the background against which this is set off. I am sorry I have to oppose this motion.

Mr. N. M. Joshi: I do not wish to deal with the particular case which the Honourable the Mover of this motion has placed before the Assembly this afternoon. But, Sir, I am intervening in this debate to point out how unsuitable this subject is for discussion in the Legislature.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member implies by that, that this really ought not to be allowed to be discussed, he knows that similar questions are discussed frequently here.

Mr. N. M. Joshi: I am not making that implication at all. It may be permissible under the rules to discuss certain questions

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member surely knows what importance is attached in this House to these questions. It is very unfortunate.

Mr. N. M. Joshi: But I take a different view. Even if we are allowed to discuss certain matters, whether as a matter of policy we can discuss such matters usefully in the Legislature is the point that I am making.

Sir Syed Raza Ali: What course do you advise me to take?

Mr. N. M. Joshi: I am coming to that. We have several times discussed communal questions in this Assembly, and discussed them, if I may say so, very bitterly. But so far as I am concerned I have never opposed the discussions of those questions. I may have regretted the discussion but I never opposed because I realised that in our country, unfortunately, the communal feeling does exist. But I feel, and I must express my feeling, that discussion of this question in the Legislature today has really reached the low water mark of undesirable discussion.

[Mr. N. M. Joshi.]

There are two points of view to these questions which have been placed before the Legislature—from the point of view of the subordinates dealt with by the head of the Department, and from the point of view of the head of the Department himself. The Honourable the Mover of this cut motion mentioned certain subordinate officers and how they were dealt with.

Sir Syed Raza Ali: Specific cases.

Mr. N. M. Joshi: He mentioned that a particular officer in his judgment was not blameable but was blamed or some one was treated with favour and another was treated with disfavour.

Sir Syed Raza Ali: Discrimination.

Mr. N. M. Joshi: How is this Assembly going to come to a right judgment as to whether the discrimination was justified or not, or whether there was discrimination at all. The Honourable Member mentioned two cases. The Honourable Member in charge of the Department may require an hour or so to tell us whether there was discrimination or not in these cases. My Honourable friend mentioned other half a dozen cases. When we discuss these half a dozen cases and come to a judgment in half an hour's or an hour's time during discussion or even in two days' discussion—some Members will make remarks against the conduct of the subordinate officers. My Honourable friend thought that a particular Mussalman officer deserved promotion. A Hindu Member who perhaps knows—I do not know anybody—a Hindu Member who perhaps knows the Hindu who was considered to have been shown favour may say that the Hindu member was the best one. As a matter of fact, the fact may be different. The Mussalman may have been the best one and the Hindu may not have been the best one. How are we going to judge? That is the difficulty which I feel. Then there is the question to be looked at from the point of view of the head of the Department. The head of a Department comes to a decision on a hundred matters of this kind during a year, perhaps 200, perhaps 500. The Honourable the Mover placed before us certain cases, half a dozen cases or even a dozen cases. Will these dozen cases, even if they are true, prove that the officer whom the Honourable the Mover of the motion accuses—is he to be considered as a bad officer or an officer not worthy to fill that post? He may have come to a judgment in 500 cases and we are judging him by half a dozen or a dozen cases which are placed before us. I, therefore feel that even from the point of view of the head of the Department, discussion in the Legislature is unfair to him. I submit in these circumstances that a discussion of this nature should be avoided as a matter of policy. I quite realise, and I am with the Mover of the cut motion, that every officer of Government, whether subordinate or inferior, who has a grievance—that grievance must be looked into. There must be some machinery by which the grievances will be redressed. If a subordinate officer was passed over, I do not know what machinery the Department has exactly. He can appeal to the Honourable Member, I think. The Honourable Member happens, unfortunately to be a Hindu in this case, but the Honourable the Mover has no complaint against him, I am glad to hear that. But even supposing the Honourable Member happens to be a Hindu, there is the Executive Council, there is the Governor General. In any case an officer who is badly

treated or wrongly treated can appeal to the Governor General. The Governor General, happens to be a Britisher, not a Hindu. I, therefore, feel that the right course for an officer who is badly treated is to go, first to the Honourable Member and take the chance of appealing to the Governor General. Even if that is not satisfactory, I think the Government of India should allow appeals in such cases to the Public Service Commission. Why have we spent money in creating the Public Service Commission if the Public Service Commission is not to go into these matters? I agree with the Honourable the Mover if he feels that there should be a suitable machinery for examining the grievances of the subordinate officers.

If there is no appeal to the Public Services Commission in cases of this kind, the Government of India should take steps that an officer who is treated wrongly, unjustly and unfairly should be able to go to the Public Services Commission. If the machinery of the Public Services Commission is not suitable for removing the grievances of the subordinate officers, Government of India should consider some other machinery. But I feel that this House is not a suitable machinery for discussing the merits of the work of subordinate officers or even of the head of the Department. I hope that this discussion may lead to the establishment of a proper machinery whereby the subordinate officers of the Government of India will get justice and I also hope that the discussion which has taken place today may not take place in this Legislature again.

Mr. Muhammad Nauman: Sir, I had no desire to take part in this debate particularly because I had not studied the position very much in the Department but as my Honourable friend, Pandit Lakshmi Kanta Maitra, has referred to the figures which were surprising to me I have tried to ascertain within these few minutes from the statement brought from the Library what the exact position is. I think it would be rather unwise on the part of my Party not to clear up the position. Mr. Maitra has been saying that in some cases Muslims were 50 per cent. or 100 per cent. Probably he has not studied the figures of this Department himself. If he looks at the statement showing the annual composition of the office of the Director General of Archaeology in India on the 1st of January, 1940—a statement prepared by the Government itself—he will notice that in the case of the Superintendents the Hindus are 100 per cent.; assistants and clerks are 88·3 per cent.; and stenographers are 50·2 per cent., and the ratio of Muslim stenographers is only 6 per cent. It is very unfortunate, as I said earlier, that we should fight on these issues. You will find, Sir, that in the case of technicals 100 per cent. representation is given to my friends, the Hindus. I do not grudge it as I said earlier responsibility lies with British Government. The statement goes to show that in the case of the Custodian of Delhi there are 100 per cent. Hindus; in the case of the Hyderabad office, they are 100 per cent. Hindus; in the case of the staff for the Delhi Museum, Hindus are 100 per cent.; in the case of the Agra office, Hindus are 50 per cent.; in the case of the Office of the Superintendent of Archaeology, Hindus are 50 per cent.; in the case of the Superintendent of Archaeological Survey, Eastern Circle Calcutta, Hindus are 100 per cent.; in the case of the Superintendent of Archaeological Survey, Southern Circle, Madras, Hindus are 100 per cent.; in the case of the Archaeological Section of the Indian Museum, Calcutta, Hindus are 87·7 per cent. In short, the key positions and important positions are being held by Hindus and still their representatives make a grouse of it.

Mr. N. M. Joshi: May I ask a question? Where you have stated that the percentage for a particular community was 100 per cent, may I ask how many persons were there?

Mr. Muhammad Nauman: My Honourable friend, Pandit Lakshmi Kanta Maitra, treated the House in the same way and that is the reason way I did not like to give the number of the persons employed. He did not give the figures; he gave only the percentages. So, the reply had to be only in terms of the percentages. Mr. Maitra was speaking from memory and I am quoting from the records of the Government of India. That is the difference between him and me. Even in the total the position of the Mussalmans is 28 and the Hindus are 75.80 per cent. My friend was trying to make out a case that the Musalmans are probably 40 or 50 per cent. Is it possible in this Government?

Another point mentioned was whether it was at all necessary for the Members of any community or for a public representative to bring to the House certain conditions which existed in a particular Department. I think my Honourable friend, Pandit Lakshmi Kanta Maitra, was probably exaggerating his own position when he thought that he was called upon to reply to that issue at all. Naturally, he is as much ignorant as many others are. And if a certain thing has come to my knowledge it is my duty to bring it to the notice of the administration through you, Sir, and also mention before the House that a certain officer or a certain Department is not dealing in the manner in which it is expected to deal. As such, it is for that Department and the Government spokesman on behalf of that Department to tell us whether the information is correct or not. The Members of the House are not expected to say whether they were in the know of the things or not or whether they can challenge the statements made or not. They are not in charge of the portfolio. I look forward for the day when my friend, Pandit Lakshmi Kanta Maitra, may be in charge of such Department. In that case, we will accept an answer from him, but he is not yet in that position although he tried to answer in a way as if he was the Government.

My submission to the House is only this. My friend, Sir Syed Raza Ali, has moved a Resolution very ably to impress on the Government that all is not well in that particular Department and we are interested to hear what the Government has got to say on that point. If the Government find on inquiry that whatever Sir Syed Raza Ali has said is true and that facts were not wrongly represented to him, it is their duty to see that the wrong is righted and the correct position is maintained. That is the only purpose of the cut motion and I hope Government will give it its best consideration. With these few words, I resume my seat.

Maulana Zafar Ali Khan: Sir, it has caused me great pain to find that in this House a question has arisen which some of my friends want to make a Hindu-Muslim question. I am of the opinion that as long as the Hindus and the Musalmans do not join hands together, the problem of India can not be tackled. Sir Syed Raza Ali says that glaring injustice has been done in the case of three or four men and he wants to bring to the notice of this representative House, which is the ultimate forum of justice for the people of India, the case of those poor people. Instead of listening to him dispassionately and looking upon the matter in a calm manner, up springs my friend, Mr. Lalchand Navalrai, and raises a meaningless point of order. Then, my friend, Pandit Lakshmi Kanta

Maitra, for whom I have the greatest regard, seems to take up the oujdgels on behalf of the Director of Archæology and acts as an apologist for him. The simple and plain question was whether it is a fact or not that in the case of two candidates, one of whom happens to be a muslim M. A. and another a Hindu Matriculate, preference was given to a Matriculate over an M.A.? Whether it was not the case that the Matriculate was articulate and the M.A. was inarticulate? Sir Raza Ali only wanted to bring this matter before the House. Then came up the question of efficiency.

I am not one of those who hold that a post should be given to a Muslim simply because he happens to be a Muslim. If a Muslim is inefficient, let him go. But my blood boils with indignation when I see that there are some people in the country who take up the attitude that because a certain individual happens to belong to a certain community,—although he may be totally inefficient and totally unfit for a post,—the post should go to him. My Honourable friend, Pandit Lakshmi Kanta Maitra, has not been able to prove that Sir Syed Raza Ali's facts and figures are wrong; nor could Mr. Joshi, the tone of whose speech, I admire, bring forward any arguments to prove that the facts and figures of Sir Syed Raza Ali are wrong.

Mr. N. M. Joshi: They are not facts and figures, but only accusations.

Maulana Zafar Ali Khan: I think those Indians who are in charge of a Department, and act in the manner described by my Honourable friend, Sir Syed Raza Ali, are the greatest enemies of India, because by their actions they provide the Britisher with a plea for dominating India for ever. The Barrister says: "you, Indians cannot hold the scales of justice even between the Hindus and Muslims, as long as we are here, we shall hold the scales of justice even. We go, and you will fight amongst yourselves". Sir, this is a warning to those who call themselves Nationalists and the best service they can do to their country is not to consider any question in terms of Hindus or Muslims, but in terms of patriotism, justice and efficiency. That is what I want.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I entirely agree with my Honourable friend, Maulana Zafar Ali Khan, when he says that questions like these should not be considered from the communal standpoint. I am definitely and strongly of the opinion that such questions should be considered only from the point of view of efficiency and justice. My Honourable friend, Sir Syed Raza Ali, asked a question; because I happen to know something about this matter that I rise to give him an answer. He says: Is it right to take a technical man as Deputy Director General of Archæology? Now, Sir, the gentleman who was appointed as Deputy Director General of Archæology some four or five years ago is an Epigraphist. An Epigraphist is not a technical man in the sense that an Engineer or a Chemist is a technical man. Epigraphy is the most essential part of Archæology. I happen to know this gentleman. He is an all-round man. I had worked with him in the Post-graduate Department of the Calcutta University for a number of years. His reputation has spread not only throughout this country, but even beyond its frontiers. Therefore, Sir, when my Honourable friend, Sir Syed Raza Ali, raised the question of competence of this man, I must say that he was not quite well informed, and I wish to give him this information that he is wrong in his estimate of the qualifications of this gentleman.

[Dr. P. N. Banerjea.]

I should also like to point out that I happen to know a little about the work of the department of Archaeology. Two of his predecessors were technical men—one gentleman Mr. Pope was a technical man; I forget the name of another gentleman who was also a technical man. I may point out that only a few months ago, the Epigraphist in Ceylon was appointed as Director General of Archaeology. A knowledge of epigraphy is regarded as an essential part of the work of an archæologist. It is not regarded on the same footing as that of a chemist or an Engineer. Therefore, Sir, I maintain that this appointment which was made three or four years ago should not be questioned now and I submit this gentleman possesses the highest qualifications. I am sorry to find that the question has been raised in this form now. I hope such questions, as has been rightly said by my Honourable friend, Maulana Zafar Ali Khan, will be considered from the point of view of efficiency and justice in future.

Nawabzada Muhammad Liaqat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, every one of the Honourable Members who have preceded me has decried communalism in spite of the fact that he owes his existence in this House to communalism.

Dr. P. N. Banerjea: Most unfortunate.

Nawabzada Muhammad Liaqat Ali Khan: I, for one, do not offer any apology for rising to speak on this motion. In a country like India which is a land of different nationalities and is not a national State, questions like this are bound to arise. Why should we, as responsible Members of the Legislature, fight shy of discussing such questions as long as there is no sense of injustice or hatred in our hearts against any individual or against any community. Sir, my Honourable friend, Sir Syed Raza Ali, raised certain issues which Pandit Lakshmi Kanta Maitra in a clever way has tried to side-track. Sir Syed Raza Ali never mentioned anything about the representation of various communities in the Department of Archaeology. So the question whether there were more Muslims or more Hindus was not the subject matter of the motion which was moved by Honourable Sir Syed Raza Ali. He has raised a more serious question than that to which Pandit Lakshmi Kanta Maitra referred. To my mind there is nothing more serious than the fact that the head of a Department should be guilty of showing partiality or showing communal bias in certain matters. The Honourable the Mover is a responsible Member of this House.

Lieut.-Colonel Sir Henry Gidney: Question.

Nawabzada Muhammad Liaqat Ali Khan: My Honourable friend questions this statement.

Lieut.-Colonel Sir Henry Gidney: I did not mean my interruption as serious.

Nawabzada Muhammad Liaqat Ali Khan: He was probably speaking for himself.

Lieut.-Colonel Sir Henry Gidney: I was only looking at your face. I did not mean anything.

Nawabzada Muhammad Liaqat Ali Khan: If my Honourable friend looks at me long enough, he will be a better man than what he is.

Lieut.-Colonel Sir Henry Gidney: Question.

Nawabzada Muhammad Liaqat Ali Khan: I was stating that the Honourable Member who moved this cut motion, I am certain, would not have come before this Honourable House if he had not made sure of the facts which he was to place before the House. He has levelled charges and as I have said just now they are very serious charges against the head of a Department of showing discrimination against the employees belonging to a certain community which happens to be different from the one to which this particular officer belongs. And let me assure the House that as far as I am concerned I did not even know to what nationality the head of the Department belonged. I do not look at these questions from the point of view of whether a person is a Hindu or a Muslim or a European. If he is guilty of any act which is objectionable he deserves condemnation and he must suffer the consequences. My Honourable friend, Mr. Joshi, said, that this was not the proper forum for discussing a matter of this kind. As long as there is no forum which is better than this, matters of this kind are bound to be discussed on the floor of this House. I do not agree with the proposition that injustice should continue because we might hurt the feelings of certain individuals if we discuss these matters in this House. I would request the Honourable Member in charge, that in view of the serious allegations which a responsible Member of this House has made he should consider this matter most carefully. Mr. Joshi asked what can we do even if this officer were indeed guilty of all that has been stated. I would tell him that a man like that if he is proved to be guilty is not fit to hold the office which he is occupying.

Mr. N. M. Joshi: By whom is he proved guilty?

Nawabzada Liaqat Ali Khan: On this statement of the Secretary of the Department.

Mr. N. M. Joshi: But he did not read the whole volume

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is apparently not giving way.

Nawabzada Liaqat Ali Khan: My Honourable friend asks by whom he is to be proved guilty. If this House is of the opinion that there is *prima facie* case against that particular officer, it should appoint a committee to go into the matter.

Mr. N. M. Joshi: You have to make out a *prima facie* case then.

Nawabzada Liaqat Ali Khan: That is what my Honourable friend the mover has done.

Mr. N. M. Joshi: No.

The Honourable Mr. M. S. Aney: No.

Nawabzada Liaqat Ali Khan: I notice that even the Leader of the House finds it difficult to forget that he belonged to the Nationalist Party.

The Honourable Mr. M. S. Aney: A question was asked whether a *prima facie* case was made out or not.

Nawabzada Liaqat Ali Khan: The Honourable Member was not here. So how can he say whether a *prima facie* case has been made out or not?

The Honourable Mr. M. S. Aney: I have heard almost three-fourths of the speech of my Honourable friend, the Mover of the cut motion.

Nawabzada Liaqat Ali Khan: I am sure in that one-fourth which he missed a *prima facie* case was made out!

Sir, I was saying that this is a matter which really should not be looked at from the point of view of whether an individual belongs to this or that community. Here are certain people whose cases have been reported and about whose cases an Honourable and responsible Member of this House has made sure.

Mr. N. M. Joshi: All are responsible.

Nawabzada Liaqat Ali Khan: I hope so. I can only speak for myself; I cannot speak for Mr. Joshi.

Bhai Parma Nand: Is this House a court of justice?

Nawabzada Liaqat Ali Khan: I am rather surprised that today, my Honourable friends are getting rather impatient. I have heard speeches, when Honourable Members have accused officers of the Government, who happen to belong to a different nationality, of such things in the past, but none of these Honourable Members said anything to the contrary. They were the people who were responsible for making accusations of partiality. I do not see any reason for this impatience, unless it be that the person about whom certain serious allegations are made happens to belong to a certain community. But, that should not really affect our judgment this way or that way, and I can assure Honourable Members present here that if serious charges are brought against any one of the kind that were brought by my Honourable friend, Sir Raza Ali, and by a responsible Member of this House, I would not look at the matter from the point of view whether the person about whom these allegations are made is a Muslim or not. Is it contended by Honourable Members of this House that the privilege of doing justice only belongs to one community or the other?

An Honourable Member: Certainly not.

Nawabzada Liaqat Ali Khan: Then I do not see any reason for this impatience. Let the Government Member in charge get up and put the other side of the picture, if any, before us. As a matter of fact I was hoping that after the Honourable the Mover had made his speech somebody on behalf of the Department would get up and either refute these charges or give certain explanations which may be in their possession. I never expected that Honourable Members of this House who know nothing

about the facts of the case or about the facts related by the Honourable the Mover would get up and start condemning the Honourable the Mover for having brought a motion of this kind. One could have understood the intervention on the part of some of the Honourable Members, after Government had placed their case before this House. But before Government have even said anything everybody gets up and starts condemning my Honourable friend for having brought a matter of this kind for discussion on the floor of this House. As I have stated already, I think it is a serious matter and I hope the Honourable Member in charge will give due consideration to the points raised by the Honourable the Mover of this motion.

The Honourable Mr. M. S. Aney: Sir, on a matter of personal explanation, I said "No" only in joke and I did not wish to give any reply to my Honourable friend. My "No" was only in joke, and I do not even want it to be taken as an expression of opinion. I admit that I was not justified in saying anything as I did not hear the speech of the Honourable Member in full.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 10th March, 1942.