

1st April 1942

**THE
LEGISLATIVE ASSEMBLY DEBATES**

Official Report

Volume II, 1942

(11th March to 2nd April, 1942)

**FIFTEENTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1942**



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LEGISLATIVE ASSEMBLY.

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

Deputy President:

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

Panel of Chairmen:

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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:

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Assistants of the Secretary:

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

Khan Bahadur S. G. HASNAIN.

Marshal:

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

Sir ABDUL HALIM GHUZNAVI, M.L.A.

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

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LEGISLATIVE ASSEMBLY

Wednesday, 1st April, 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.

MEMBERS SWORN

Mr. Herbert Daniel Benjamin, M.L.A. (Government of India: Nominated Official); and

Mr. Vishnu Sahay, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

IMPROVEMENTS IN THE DELHI MUSEUM OF ARCHÆOLOGY.

300. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Education Member be pleased to state whether he is aware that the Delhi Museum of Archæology inside the Fort is the only Museum under the Archæological Department in Northern India relating to Muslim art and culture?

(b) Is he also aware that the Director General of Archæology took it under his personal supervision to effect an improvement in it? If so, will he kindly state if any improvements have been made in it?

(c) If any improvements have been made, will he kindly give their details?

The Honourable Mr. N. R. Sarker: (a) Yes.

(b) It was taken over for administrative convenience. The Assistant Superintendent, who holds charge of the Museum as Honorary Curator, has effected a number of improvements under the direction of the Director General of Archæology.

(c) The space available has been increased by enclosure of the verandah; overcrowding of exhibits has been reduced; show-cases have been rearranged and important exhibits have been acquired for the Museum.

EXPOSED INSCRIPTIONS IN THE DELHI MUSEUM OF ARCHÆOLOGY.

301. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Education Member be pleased to state if he is aware that the stone inscriptions housed in the Delhi Museum of Archæology have been lying on the ground outside the building exposed to weather for nearly two years?

(b) Is he also aware that these inscriptions constitute a very valuable historical record and their treatment by the Director General of Archæology is open to objection?

(c) Will he kindly state the reasons for the treatment accorded to these important and sacred relics?

The Honourable Mr. N. B. Sarker: (a) Yes, some stone inscriptions have been kept in the open.

(b) and (c). These inscriptions, mostly tomb-stones, are not likely to be affected by exposure. Others, which are either important or of a friable stone and likely to disintegrate, have been kept in the museum.

Dr. Sir Ziauddin Ahmad: Is it not a fact that these stones have been lying for two years outside exposed to wind, sun and rain, and will it not affect the preservation of these inscriptions?

The Honourable Mr. N. B. Sarker: I have already answered that question.

Dr. Sir Ziauddin Ahmad: Do you mean that these inscriptions on the stones will not be affected?

The Honourable Mr. N. B. Sarker: Yes, they will not be affected.

SAFETY OF ARTICLES IN THE DELHI MUSEUM OF ARCHAEOLOGY.

302. *Mr. Muhammad Ashar Ali: (a) Is the Honourable the Education Member aware that a burglary occurred some time ago at the Delhi Museum of Archaeology? Will he please state if any proper arrangement has been made for the safety of the valuable articles exhibited in the Museum?

(b) Is he aware of the fact that the glass screens have been shifted from the inner to the outer arches of the building? If so, is he sure that this arrangement will meet the requirements?

(c) Is he also aware that this arrangement has proved inconvenient to visitors, and that it has disturbed the arrangement of the inscriptions which were formerly arranged there and have now been placed on the ground outside the building?

(d) Is he prepared to give an assurance to this House that the Delhi Museum which possesses great importance with regard to antiquities illustrating Muslim art and culture is not allowed to deteriorate?

The Honourable Mr. N. B. Sarker: (a) The reply to both the parts is in the affirmative.

(b) The reply to the first part is in the affirmative. The shifting of the screens does not affect the safety of the Museum exhibits.

(c) I am not aware of any inconvenience to visitors. Important inscriptions have been kept inside the Museum. Less important inscriptions in hard stone, which are not likely to suffer from exposure, have been placed in the open.

(d) Yes.

Dr. Sir Ziauddin Ahmad: Does not the present answer contradict the answer to the previous question that there are some stones which are lying exposed to sun and weather and are lying outside?

The Honourable Mr. N. R. Sarker: But it will not affect the stones.

Dr. Sir Ziauddin Ahmad: Is it contended that exposure to the sun and wind will not harm the inscription? Has the Honourable Member made inquiries?

The Honourable Mr. N. R. Sarker: Yes, they will not be affected.

ALLEGED INSULT TO THE IMAM OF A MOSQUE IN QUTAB AREA BY A HINDU SUBORDINATE OF ARCHÆOLOGICAL DEPARTMENT.

303. *Mr. Muhammad Azhar Ali: (a) With reference to the answer to part (e) of starred question No. 138, given on the 11th November, 1941, will the Honourable the Education Member please state if the magisterial enquiry has since been completed?

(b) Will he kindly place a copy of the report on the table of the House and also state what action has been taken against the Hindu subordinate of the Archæological Department who entered the mosque in Qutab Area with shoes on and insulted the Imam there?

The Honourable Mr. N. R. Sarker: (a) The officer has completed his inquiries.

(b) No; the inquiry, I find, was an executive inquiry, not a formal magisterial inquiry, and the inquiring officer's opinions have been forwarded in a confidential document.

No action has been taken against the Conservation Assistant concerned as the inquiring officer did not accept the view that he had acted in the way suggested in the question.

Dr. Sir Ziauddin Ahmad: What is the reply to the last part (b)?

The Honourable Mr. N. R. Sarker: No action has been taken against the Conservation Assistant concerned as the inquiring officer did not accept the view that he had acted in any way suggested in the question.

Dr. Sir Ziauddin Ahmad: Is this fact mentioned in the question correct or not, namely, that the Hindu subordinates of the Archæological Department entered the mosque in Qutab area with shoes on and insulted the Imam there?

The Honourable Mr. N. R. Sarker: No.

CERTIFICATE OF INCORPORATION OF ASSOCIATION OF INDUSTRIES (INDIA) LIMITED.

304. *Babu Kailash Behari Lal: (a) Will the Honourable Member for Commerce please refer to section 27 (1) of the Indian Companies Act VII of 1913, *vis.*:—"to give any person right to participate in the divisible profits of the company otherwise than as a member shall be void"; and state whether it is a fact that in clause III (45) of the Memorandum of Association of Industries (India) Limited, it is declared that "holders of bonds" otherwise than the "Members" shall participate in the divisible profits of the company?

(b) If so, will the Honourable Member please state the reasons for the issue of the Certificate of Incorporation on the 14th day of July, 1939 by the Registrar, Joint Stock Companies, Delhi, as a Company Limited by Guarantee having no share capital? Do Government now propose to cancel the said certificate? If not, why not?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: (a) and (b). I regret that as the question involves the interpretation of an Act of the Legislature in its application to an alleged statement of fact I am unable to express an opinion in the matter.

SUPPLY OF ELECTRICITY AND IMPROVEMENT OF ROADS IN ALIGUNJ AREA, DELHI.

305. *Maulana Zafar Ali Khan: (a) Will the Labour Secretary please state if it is a fact that Government had promised to supply electric current to the Aligunj inferior servants quarters area by the end of December 1941?

(b) Is it a fact that only one pole has so far been erected and electric current has not been supplied there?

(c) Is it a fact that the roads in the Aligunj area are in a very bad condition, and the Public Works Department have not undertaken any repairs to them?

(d) Is it a fact that inhabitants of that area are experiencing very great difficulty on this account? Why do the Public Works Department not repair the roads?

Mr. H. C. Prior: (a) No. In reply to a representation on the subject received last year from the Government of India Imperial Secretariat Record Sorters and Duffries Association, it was stated that the installation of road lights was a Municipal function. It was understood from the Secretary, New Delhi Municipal Committee, that the standard design of the poles was under consideration and that the provision of lights was expected during the course of that year (i.e., 1941).

(b) No. The whole work has since been done excepting installation of lamps, an order for which has been placed.

(c) No. The roads are in good condition. Portions of roads were damaged during last winter rains but they have since been attended to.

(d) Does not arise, *vide* reply to part (c) above.

ALTERNATIVE ARRANGEMENT FOR WATER SUPPLY IN NEW DELHI.

306. *Babu Kallash Behari Lal: Will the Honourable the Education Member kindly state:

(a) what alternative arrangements have been made for the supply of water to residents in New Delhi;

(b) whether there is any idea of fixing hand pumps, etc., within the quarters and compounds of bungalows, or at convenient places in New Delhi; and

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

(c) whether any old and closed wells have been re-opened and cleaned?

The Honourable Mr. N. R. Sarker: A number of old wells in New Delhi are already in working order and arrangements are being made by the Municipal Committee, as a precautionary measure in connection with air raid precautions, to rehabilitate others. In addition the Municipal Committee have sanctioned the construction of fifty tube-wells, with hand suction pumps, and have given permission for the construction of similar wells by private persons, subject to suitable conditions.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether the Government are in favour of boring pipes and whether they are prepared to put in boring pipes, *i.e.*, tube wells?

The Honourable Mr. N. R. Sarker: What difference would it make?

Mr. Lalchand Navalrai: Boring pipes cost comparatively less. They are, I think, driven in by some mechanical method, and water comes out through a hand pump. Why should not these be arranged?

The Honourable Mr. N. R. Sarker: I will consider this.

DURGAH OF MAKHDUM SHAH SAHIB NEAR SHAHPUR, QUTAB ROAD, DELHI.

307. *Maulvi Syed Murtaza Sahib Bahadur: (a) With reference to his answer to parts (d) to (f) of starred question No. 456, asked by Maulana Zafar Ali Khan in this House on the 21st March, 1941, regarding the Durgah of Makhdum Shah Sahib near Shahpur, Qutab Road, Delhi, will the Honourable Member for Education, Health and Lands please state whether repairs to the graves, which were left over for want of funds, have since been carried out? If not, when will this be done?

(b) What amount has been spent on repairs to this protected monument during the last three years?

(c) What expenditure will be incurred if the demand of the local Muslim public, as disclosed in parts (d) to (f) of starred question No. 456, referred to in part (a) above, namely:

(i) repairing of the remaining graves,

(ii) providing a gate at the main entrance of the Durgah, and

(iii) broadening of passage from the entrance of the Durgah to the main road,

is conceded by Government?

(d) Do Government consider it necessary to receive the complaints with regard to these matters direct and do they propose to treat them as such if they are made through the Members of this House?

(e) Will he kindly place on the table of the House the result of his enquiry promised in reply to Maulana Zafar Ali Khan's supplementary question on his starred question No. 456, dated the 21st March, 1941?

The Honourable Mr. N. R. Sarker: (a) No, but they will be taken up when funds permit.

- (b) Rs. 798.
 (c) (i) About Rs. 200.
 (ii) About Rs. 100.
 (iii) The improvement would involve acquisition of land and an estimate cannot be framed without a detailed inquiry.
 (d) Any complaints made to Government will receive consideration.
 (e) No land is being cultivated within the boundary of the monument.

MEMBERS OF THE CENTRAL LEGISLATURE BRINGING UP MOTOR CARS TO DELHI

†308. *Sir Abdul Halim Ghuznavi: Will the Honourable the Leader of the House please state:

- (a) the number of Honourable Members of the Legislative Assembly and the Council of State who brought up motor cars to Delhi for their personal use in the year 1941; and
 (b) the amount of the cost to Government?

The Honourable Mr. M. S. Aney:

	Budget Session.	Autumn Session.	Total.
(a) Legislative Assembly	29	22	51
Council of State	20	18	38
Total	49	40	89
	Rs.	Rs.	Rs.
(b) Legislative Assembly	16,501	11,209	27,710
Council of State	8,421	8,180	16,601
Total	24,922	19,389	44,311

INSTITUTIONS GRANTED LANDS IN NEW DELHI.

†309. *Sardar Sant Singh: (a) Will the Honourable Member for Education, Health and Lands be pleased to state the names of institutions which have been granted land in New Delhi since 1925, with the dates of their applications and the dates when such grants were sanctioned?

(b) Is it a fact that some Sikh institutions also made applications for similar grants for public purposes? If so, since how long have these applications been pending and why has no decision so far been reached? Will the Honourable Member state the reasons for such discrimination?

The Honourable Mr. N. E. Sarker: The information has been called for and a reply will be furnished to the House when it is received.

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

SUBSIDY TO THE MOGUL LINE FOR HEJAZ PILGRIM TRAFFIC.

310. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Honourable Member for Indians Overseas kindly state the total amount of subsidy paid to the Mogul Line by His Majesty's Government and the Government of India in connection with pilgrim traffic to the Hejaz?

The Honourable Mr. M. S. Aney: For the season 1940-41 the Mogul Line have been paid a sum of Rs. 20,292-7-0 for providing special protection against aerial attack to hatchways on their ships employed to carry pilgrims. Of this amount the Government of India paid one third and His Majesty's Government two thirds. No claim was received from the company as a subsidy against loss incurred during the Haj season.

Mr. Husenbhai Abdullabhai Laljee: May I know from the Honourable Member if they incurred any loss?

The Honourable Mr. M. S. Aney: As no claim has been submitted, I am unable to say that.

Dr. Sir Ziauddin Ahmad: Did Government make an enquiry whether they made profit or whether they incurred a loss?

The Honourable Mr. M. S. Aney: I will enquire if the Honourable Member will give me notice.

Mr. Lalchand Navalrai: Was Scindia Shipping Company also working on that line or not?

The Honourable Mr. M. S. Aney: I have given my reply in connection with the Mogul Line.

KARANIS ON PILGRIM SHIPS OF THE MOGUL LINE.

311. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Honourable Member for Indians Overseas kindly state:

- (a) whether Karanis are employed on pilgrim ships of the Mogul Line;
- (b) the duties of Karanis;
- (c) the qualifications they possess;
- (d) the total number of such Karanis and the number of them who are Muslims; and
- (e) if Government propose to recommend to the shipping company to employ Muslims as Karanis in the vacancies that occur in future?

The Honourable Mr. M. S. Aney: (a) Yes.

(b) The duties of the Karanis are similar to those of a Purser of an ordinary passenger liner and include keeping of accounts, manifests, etc.

(c) Karanis possess no particular qualifications. They usually join vessels as Tally clerks and are gradually promoted to Assistant clerks and ultimately to Karanis.

(d) Seven and two respectively.

(e) Government will bring this part of the question to the notice of the shipping company.

PILGRIM SHIPS FOR THE LAST HAJ SEASON.

312. *Khan Bahadur Shafiq Fazl-i-Haq Piracha: (a) Will the Honourable Member for Indians Overseas kindly state how many pilgrim ships sailed from India with pilgrims to the Hedjaz during the last Haj season? How many of them were required to call at Kamran and how many of them were not required to do so?

(b) Was there any incidence of infectious diseases in any of the pilgrim ships?

(c) If the answer to part (b) above be in the negative, why were some of the pilgrim ships required to call at Kamran at all?

(d) In case of the ships that did not call at Kamran, was the Kamran fee collected from other pilgrims returned to them and what was the total amount of such fee?

(e) Will Government consider the question of refunding the fee received from those pilgrims whose ships called at Kamran? If not, why not?

The Honourable Mr. M. S. Aney: (a) There were nine sailings from India and six of them called at Kamaran. In the case of the three last sailings, authority was given to the Masters of the ships to omit the call at Kamaran at their discretion if they could not otherwise reach Jedda by the morning of the 23rd December. It was feared that if those ships arrived later the poorer pilgrims might not be able to get to Mecca in time for the Haj.

(b) No.

(c) The call is obligatory under the provisions of the Anglo Dutch Agreement regarding Kamaran.

(d) The fee paid by pilgrims who were on the ships that did not call at Kamaran was returned to them. Rs. 9,014 were so refunded.

(e) No. As the call at Kamaran was actually made in those cases, there is no ground for refunding the money.

BILLS DRAFTED BY THE HINDU LAW COMMITTEE.

313. *Mr. Govind V. Deshmukh: Will the Honourable the Law Member please state:

(a) if the Hindu Law Committee has drafted any Bills dealing with the Hindu Law of succession and marriage;

(b) if so, have the Bills been under the consideration of Government;

(c) if he is in a position to introduce these Bills in this Session as promised in the last Session of the Assembly; and

(d) what procedure he is going to adopt to give effect to his promise above referred to and when?

The Honourable Sir Sultan Ahmed: (a) The Committee has drafted a Bill to codify the Hindu Law relating to intestate succession and another Bill to codify the Hindu Law relating to marriage.

(b) The Bills were received by Government on the 11th March and the 17th March respectively and are now under consideration.

(c) Obviously no. I must add that I gave no promise in the sense suggested.

(d) Government have reached no final decision, but they tentatively contemplate the publication of the Bills in the Gazette under rule 18 of the Indian Legislative Rules and their simultaneous circulation by executive order with a request to Provincial Governments to invite opinions from all the persons and bodies from whom opinions would have been invited if a circulation motion had been adopted by this House. If this course were adopted, the opinions obtained would be supplied to Honourable Members of the Assembly and it would be possible to move for reference of the Bills to a Select Committee or in the alternative to a Joint Committee of the two Chambers at an early stage of the next Session.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether public opinion will be elicited before the introduction of these Bills or afterwards?

The Honourable Sir Sultan Ahmed: Of course before.

Mr. Govind V. Deshmukh: Are Government aware that public opinion has already been invited through a questionnaire on several Bills which were before the House regarding succession and disabilities of marriage, separate residence and maintenance, etc.?

The Honourable Sir Sultan Ahmed: But not on these Bills.

Mr. Govind V. Deshmukh: Do not Government consider it sufficient to dispense with the introduction of these Bills when the matter is published in the Government of India Gazette?

The Honourable Sir Sultan Ahmed: No.

Mr. Govind V. Deshmukh: Would not rule 18 of the Indian Legislative Rules help Government to refer the matter to a Select Committee at once without introduction or referring the matter for public opinion?

The Honourable Sir Sultan Ahmed: Government do not consider so.

Mr. Govind V. Deshmukh: With respect to part (c), may I know when the Bill will be introduced?

The Honourable Sir Sultan Ahmed: I have answered this. I said it would be possible to move for reference of the Bills to a Select Committee or in the alternative to a Joint Committee of the two Chambers at an early stage of the next Session.

Mr. Husenbhai Abdullabhai Laljee: May I know, Sir, whether, in view of the fact that the report will be ready shortly, the Bills standing on the agenda will be discussed tomorrow or they will be postponed?

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member repeat the question?

Mr. Husenbhai Abdullabhai Laljee: In view of the fact that the Row Committee's Report is coming before the House very shortly for discussion, will the Bills that are on the agenda for tomorrow be postponed?

The Honourable Sir Sultan Ahmed: That is another matter. You will see what happens tomorrow.

Maulvi Muhammad Abdul Ghani: What will be the attitude of Government regarding the Bills coming up tomorrow?

The Honourable Sir Sultan Ahmed: Wait and see.

Mr. Govind V. Deshmukh: My question is whether the Bills regarding marriage laws which invariably contain provisions about nullity of marriage, separate residence and maintenance are subject-matters of tomorrow's Bill of Dr. Deshmukh, namely, the separate residence and maintenance

Mr. President (The Honourable Sir Abdur Rahim): There cannot be two questions at the same time.

ACCIDENT IN CONNAUGHT PLACE, NEW DELHI.

314. *Mr. Govind V. Deshmukh: (a) Will the Honourable Member for Education, Health and Lands please state if he is aware of a fatal accident which occurred in Connaught Place on the 18th March, 1942, when an eleven years old girl fell on the pavement and died subsequently from the uppermost storey of a flat which has no railings on the roofs facing the Connaught Place Park?

(b) Is it a fact that the landlords of the buildings at Connaught Place are not permitted to build any sort of railings to their roofs?

(c) Is it a fact that the buildings situated at Connaught Circus have railings attached to the roofs?

(d) What measures do Government propose to adopt in order that railings may be provided to houses in Connaught Place to prevent accidents such as referred to in part (a) above?

The Honourable Mr. N. E. Sarker: (a) Yes.

(b), (c) and (d). So far as I have been able to ascertain at short notice the question of allowing railings on the roofs of the buildings has

never been raised. The question whether it is necessary and practicable to require the owners of the buildings to erect railings on the roofs will be considered.

Mr. Lalchand Navalrai: Is there any objection to the upper flats being used by these owners?

The Honourable Mr. N. E. Sarker: No.

Mr. Lalchand Navalrai: Will the Honourable Member please see that on those places which belong to Government, and not to others, parapet walls are put up?

The Honourable Mr. N. E. Sarker: I have already answered that. The matter will be considered.

UNSTARRED QUESTIONS AND ANSWERS.

MESSERS. RAWAT AND MOOL CHAND OF THE ARCHÆOLOGICAL SURVEY, DELHI.

116 Mr. Muhammad Ashar Ali: (a) Will the Honourable the Education Member please state the duties performed by Messrs. Rawat and Mool Chand employed in the Archæological Survey, Delhi, in connection with the maintenance of Delhi Monuments?

(b) Will he please state their monthly emoluments?

(c) For how long have they been working in the Survey?

The Honourable Mr. N. E. Sarker: (a) Mr. Rawat is a work charged sub-overseer occasionally employed to supervise conservation works and Mr. Mool Chand a temporary surveyor engaged for preparing land and site plans of Delhi monuments.

(b) Mr. Rawat Rs. 50 and Mr. Mool Chand Rs. 75.

(c) Mr. Rawat since 22nd September, 1941, and Mr. Mool Chand since 26th September, 1940.

REPORT OF THE PITKEATHLY ENQUIRY COMMITTEE.

117. Babu Kallash Behari Lal: Will the Labour Secretary, please refer to the reply given to unstarred question No. 47, asked on the 6th March, 1937, *viz.*, "Government have not yet received the report of the Enquiry Committee and are, therefore, not aware either of the evidence collected by it or of its recommendation" and state whether Government have by this time received the report of the Pitkeathly Enquiry Committee? If so, what are its recommendations regarding the reduction in rates per unit at present charged by the Upper Jumna Valley Electric Supply Company, Limited, from the consumers at Shahdara; if not, what further time is required in coming to a decision?

Mr. H. C. Prior: The report of the Enquiry Committee known as the Delhi Electric Supply Enquiry Committee of which Sir James Pitkeathly was the Chairman, was received by Government on 9th March, 1937. The Committee recommended *inter alia* that the Upper Jumna Valley Electric

Supply Company Limited on the termination of their license granted by the United Provinces Government for supply of electricity in the Delhi-Shahdara area should obtain the bulk supply of energy from the Delhi Central Electric Power Authority and would thus be in a position to retail energy at lower rates. In this connection, the attention of the Honourable Member is invited to the replies given in the Legislative Assembly to unstarred question No. 34 on 24th February, 1940, and starred question No. 208 on 21st November, 1940. The Delhi Central Electric Power Authority is not yet in a position to give bulk supply to the Upper Jumna Valley Electric Supply Company Limited.

NOTIFIED AREA COMMITTEE, SHAHDARA.

118. **Babu Kailash Behari Lal:** Will the Honourable Member for Education, Health and Lands please state:

- (a) the date from which the Notified Area Committee for Shahdara, Delhi Province, was constituted;
- (b) its constitution and method of appointing its members and officers;
- (c) the population on the date of its constitution and in the census of 1941; and
- (d) the date from which it is proposed to institute the election system instead of nomination in selecting members?

The Honourable Mr. N. E. Sarker: With your permission, Sir, I propose to answer this and question No. 119 together. The information has been called for and a reply will be furnished to the House when it is received.

NOTIFIED AREA COMMITTEE, SHAHDARA.

119. **Babu Kailash Behari Lal:** Will the Honourable Member for Education, Health and Lands please state:

- (a) the income and expenditure in each year for the years 1935—1941 of the Notified Area Committee, Shahdara, Delhi Province;
- (b) the statutes and regulations applicable to it;
- (c) the procedure prescribed for the disposal of its audit objections;
- (d) the procedure prescribed for the disposal of irregularities affecting the Government and committed by members nominated by the Chief Commissioner;
- (e) whether tax-payers have any voice in its administration;
- (f) the protection provided for the funds and properties against waste and misuse;
- (g) if there is any sum due to Government of India; if so on what account; and
- (h) the present sanitary condition of the town and its suburbs and when it was last inspected by the Director of Public Health?

APPLICATIONS AGAINST CONTRAVENTIONS OF THE PAYMENT OF WAGES ACT ON RAILWAYS.

120. Babu Kailash Behari Lal: Will the Labour Secretary please :

- (a) state the regulation under which the Conciliation Officer (Railways) and Supervisor of Railway Labour is permitted to investigate "the irregularities to cover cases which *prima facie* amount to contravention of the Payment of Wages Act, 1936"; instead of applying to the authority for a direction; and
- (b) lay on the table of the House a list of applications made by the Inspector, under the Payment of Wages Act, 1936, for Railways, to the authority against (i) delayed payments, (ii) withheld payments, and (iii) contraventions of the Act, since the Act was brought into force on Railways?

Mr. H. C. Prior: (a) The Conciliation Officer (Railways) and Supervisor of Railway Labour is an Inspector under the Payment of Wages Act. The provisions of the Act regarding applying for authority for a direction are not mandatory for the Inspector and there is nothing in the Act to prevent him from trying to rectify defects on the spot.

(b) No such application has been made.

PROHIBITION ON EDITING, ETC., OF TRADE UNIONS OR SERVICE ASSOCIATIONS PERIODICALS BY ITS MEMBERS.

121. Babu Kailash Behari Lal: (a) Will the Labour Secretary please state if it is a fact that Government servants including railway servants who are members of Trade Unions or Service Associations and holding offices thereof, are prohibited from editing, publishing or printing the periodicals permissible under section 15 (i) of the Indian Trade Unions Act (XVI of 1926)?

(b) If the reply to part (a) be in the affirmative, will he please lay on the table the regulation on the subject?

(c) If the reply to part (a) be in the negative, does he propose to issue the necessary instructions on the subject; if not, why not?

Mr. H. C. Prior: (a) Yes, except with the permission of Government.

(b) The relevant rules are 15 and 18 of the Government Servants' Conduct Rules and the corresponding rules in the "Railway Servants' Conduct Rules", copies of which are in the Library of the House.

(c) Does not arise.

APPLICATION FOR COMPENSATION BY ONE MUSAMMAT RAM PIARI, WIDOW OF KARAN SINGH, A PALADDAR ON SHAHDARA-SAHARANPUR RAILWAY.

122. Babu Kailash Behari Lal: Will the Labour Secretary please state:

- (a) if it is a fact that the rules made under the Workmen's Compensation Act, 1923, do provide for the submission of applications to the Commissioners appointed under the Act by registered post:

- (b) if it is a fact that on 2nd May, 1941 one Musammat Ram Pizi, widow of Karan Singh, a Paladdar on the Shahdara-Saharanrur Railway, submitted an application by registered post to the Commissioner (the District Judge, Delhi); for compensation against Chaudhury Ram Singh, Contractor, on the death of her husband;
- (c) if it is a fact that the said Commissioner on 14th August, 1941, returned that application with the remark that the petitioner should submit the application personally or through a pleader;
- (d) if the replies to parts (a) to (c) be in the affirmative, will he please state the remedy provided for the aggrieved person against, the non-compliance with Rule 19 (1) of the Rules under the Act; and
- (e) if the replies to parts (a) to (c) above be in the negative, will he please state the correct details?

Mr. H. C. Prior: (a) Yes.

(b) to (e). Information is being obtained and will be placed on the Table of the House in due course.

CATTLE BREEDING FARMS.

123. Mr. Jannadas M. Mehta: (a) Will the Honourable Member for Education, Health and Lands be pleased to state whether the Cattle Breeding Farms maintained by most of the Provincial Governments and some by the Central Government are paying concerns? If not, what are the reasons?

(b) Will Government consider the desirability of running these farms on a profit-making basis in order to impress on the public the need of breeding better types of cattle?

(c) Which one or more of the draught, milk, and dual purpose breeds of cattle they encourage?

(d) Do Government specially favour dual purpose cattle?

(e) Have Government ascertained the comparative profit yielding capacity of all these breeds of cattle, and especially that of the purely draught quality breeds?

(f) Are Government aware of the fact that the average Indian cultivator is mostly concerned with the draught quality of the animal for want of sufficiently lucrative market and of marketing facilities for milk, and a draught animal of a purer breed and better physique while it requires more money to feed and maintain, cannot be sufficiently engaged generally in agriculture due to excessive fragmentation of holdings throughout the country?

(g) What are Government's plans to meet all these difficulties?

(h) Are Government aware of the fact that the rearing of better and pedigreed cattle stock is a matter of considerable expense, and that the average cultivator, steeped as a rule in debts, cannot afford to feed his cattle properly? If so, what are Government doing materially to increase the *per capita* income of the average Indian cultivator?

(i) Are Government aware that the United States of America having an expense of twice the size of India maintains only five prominent cattle

breeds which alone are officially recognised? Will not Government reconsider their present policy in the light of that fact and officially recognise only a few selected number of breeds?

(j) Will Government please state whether the figures of the Quinquennial All-India Cattle Census taken in February 1940, are ready by now? If they are, when will they be published?

The Honourable Mr. N. E. Sarker: (a) and (b). The Cattle Breeding Farms maintained by the Central Government are not run on a profit-making basis, because the object is to breed pedigree stock for the widest possible distribution and to undertake investigations with regard to a number of problems associated with cattle breeding and agriculture. To run these farms on self-supporting lines may involve an increase in the price charged to the public for pedigree farm-bred animals. No information is available to show whether the farms maintained by Provincial Governments are paying concerns or not.

(c) Twenty-nine breeds of cattle, as mentioned in the attached list, are recognised by the All-India Cattle Show Committee. The Imperial Council of Agricultural Research have paid special attention to the Sahiwal, Sindhi, Haryana, Gir, Kankrej and Ongole breeds of cattle and to the Murrah breed of buffaloes.

(d) The cattle maintained at Central Government Farms are mostly milch breeds. Draught and dual purpose cattle are maintained at Provincial Government Farms according to the requirements of particular localities.

(e) The profit-yielding capacity of the different breeds of cattle varies with local conditions and circumstances. Near towns, for example, it is profitable to maintain milk breeds. In other areas draught or dual purpose animals may be more profitable and the usual policy in such areas is to try to breed more milk into the animals if this can be done without impairing draught qualities. Broadly speaking, so far as milk breeds are concerned, the potentialities for milk production of the different breeds to which the Imperial Council of Agricultural Research have so far paid special attention are more or less equal in their own areas and so their profit-yielding capacity is practically the same at the same stage of development. No information is available in respect of purely draught breeds.

(f) It is believed that the Indian cultivator would appreciate milch qualities in his cattle if they can be obtained without interfering with their draught qualities. The difference in the cost of feeding a good bullock and a poor one is compensated by the increased amount of work the former can perform. In areas where the holdings are small, cultivators can maintain a smaller number of better bullocks by co-operating among themselves as regards their use or loaning them out to one another when necessary.

(g) This is primarily a matter for the Provincial Governments but the general policy has been to grade up village cattle in the first instance and then to introduce pedigree animals in selected areas, the type of animal to be introduced depending on local conditions and requirements. The Imperial Council of Agricultural Research propose to review the whole position in respect of cattle improvement policy shortly.

(h) The rearing of pedigree cattle is expensive and is therefore at present confined mostly to the farms maintained by Government and by large landlords. Stud bulls from these farms are provided to selected areas for improving the local cattle. Good cattle require better feeding but are generally within the means of the cultivator, as the extra cost of feeding is covered by the extra work done which increases the income of the cultivator.

(i) Government have no information about the number of cattle breeds recognised in the United States of America. The number recognised in Great Britain is 19 and in India 29. In view of the great diversity of conditions in India the number recognised here does not seem to be excessive.

(j) Figures are ready and the report is already in proof. It will be published as soon as possible.

List of types of Cattle recognised by the All-India Cattle Show Committee.

1. Alumbadi (D).
2. Bacchaur (D).
3. Bargur (D).
4. Bhagnari (G).
5. Deoni (Dy).
6. Dhanni (D).
7. Gaolao (G).
8. Gir (Dy).
9. Hallikar (D).
10. Haryana (G).
11. Hissar-Hansi (G).
12. Kangayam (D).
13. Kankrej (G).
14. Ken Katha (D).
15. Kherigarh (D).
16. Khillari (D).
17. Krishnavalley (G).
18. Lohani (G).
19. Malvi (D).
20. Mewati (G).
21. Nagori (D).
22. Nimari (G).
23. Ongole (G).
24. Ponwar (D).
25. Rath (G).
26. Red Sindhi (Dy).
27. Sahiwal (Dy).
28. Siri (D).
29. Tharparkar (G).

G. General utility.
D. Draught.
Dy. Dalry.

MESSAGE FROM THE COUNCIL OF STATE.

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

"I am directed to inform you that the Council of State at its meeting held on the 31st March, 1942, agreed, without any amendment, to the following Bills which were passed by the Legislative Assembly at its meeting held on the 25th March, 1942, namely:

1. A Bill to provide for the grant of weekly holidays to persons employed in shops, restaurants and theatres; and

2. A Bill to facilitate the collection of statistics of certain kinds relating to industries."

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF CIVIL DEFENCE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that up to 12 Noon on Wednesday, the 25th March, 1942, the time fixed for receiving nominations for the Standing Committee for the Department of Civil Defence six nominations were received. Subsequently three members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare Mr. C. P. Lawson, Pandit Lakshmi Kanta Maitra and Khan Bahadur Mian Ghulam Kadir Muhammad Shahban to be duly elected.

RESOLUTION *RE* RELEASE OF POLITICAL PRISONERS AND DETENUS—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the Resolution moved by Mr. Akhil Chandra Datta. Nawabzada Liaqat Ali Khan was in possession of the House. He is not here today.

Mr. K. C. Neogy (Dacca Division: Muhammadan Rural): Sir, there are obvious difficulties in having to resume an unfinished debate after an interval of ten days. I, therefore, propose to very briefly recapitulate the points made by the Honourable the Mover in moving his Resolution so as to assist the memory of the House. The Honourable Member, I am afraid, has been influenced by considerations of economy as a practical businessman that he is, and he has unwittingly exposed himself to an unnecessary amount of criticism from the Honourable the Home Member on that account. In his Resolution he asks for an immediate and unconditional release of all political prisoners. I can imagine my friend drafting the Resolution in the privacy of his chamber in this House where the walls are hung with the warning to use less paper, and this is the result. But the House was in no doubt as to his intentions, because in the very first few sentences he definitely indicates what he actually means by the

[Mr. K. C. Neogy.]

term political prisoners. He first of all says that there are two classes of political prisoners, the civil disobedience or the satyagrahi prisoners, most of whom have been released,—next he refers to the other class of prisoners whom he describes as security prisoners. Then he adds that they are also called detenues and they are being detained without trial. Then he goes on to give the numbers of these two categories of prisoners who might still be under detention, and then he says that, although we have an assurance from the Honourable Member that their cases are under review at the instance of the Government, they should either be placed on trial in a regular court of law or be set at liberty. Then he specifically refers to communists and mentions the fact that they have been incarcerated because of the opinions they hold in regard to the war, and the anti-war activities of which they were accused, and he points out that since Russia entered the lists this set of political prisoners have changed their views and they now consider the present war as the peoples' war. Indeed, they have indicated this change of their views in no uncertain terms as far as they could do it, having regard to the limitations due to their incarceration. Then my Honourable friend makes a pointed reference to the case of Mr. Sarat Chandra Bose which led to certain interesting interruptions and brought about a blush on the cheeks of at least one of the Honourable Members occupying the Treasury Benches. It was rather awkward to say either 'Yes' or 'No' to certain suggestions which the Honourable the Mover made. One specific suggestion was that the Members of the Executive Council were not consulted in this case, and he virtually threw out a challenge to the Honourable Members of the Treasury Benches to give either 'Yes' or 'No' to that allegation. There perhaps we can stop as I have virtually exhausted all the points that the Honourable the Mover made.

Now I come to the speech made by the Honourable the Home Member in meeting the observations made by the Honourable the Mover on his Resolution. When I heard the Honourable Member—and today I have the advantage of having the official report of his speech before me—I was irresistibly reminded of a famous knight in fiction who used to tilt against windmills. The lure of the ready-made manuscript was perhaps too much for him and he had to unburden himself of a heavy load of typewritten logic. It is no wonder, therefore, that he went on meeting a case which had never been made by the Honourable the Mover. As a piece of bureaucratic special pleading and pettifogging, this might rank very high in official literature, but the points that he made hardly arise in this connection. The Honourable Member said: "I must hold him to his terms", "he has moved a particular Resolution and he has worded it in a particular way. I am going to interpret it as if it were a statute". He ignores his intentions which were very clearly brought out in his speech and then goes on to argue as to who could be described as a political prisoner. What is a political prisoner? he asked. "There is no definition of a political prisoner in the Indian Penal Code", he added. My Honourable friend's faith in the Indian Penal Code as a storehouse of legal lore is really touching, but I could have mentioned a few books which he might as well have read and which could have assisted him in understanding what a political prisoner is, had the matter been really relevant. My Honourable friend goes on drawing a distinction between intention and

motive and all that. All this could have been very interesting if it were relevant. And all these arguments lacked even the merit of originality, because there were occasions in the past when all these hair-splitting arguments had been heard on the floor of this House. My Honourable friend conjured up the vision of dangerous criminals, murderers and assassins stalking the land if this Resolution were to be accepted. He said:

"I might ask such questions as this: would a person who had committed murder or dacoity in pursuance of a terrorist conspiracy be a political prisoner whose release would be due under this Resolution?"

Who had ever said so? The Honourable the Mover had definitely made it clear that what he was thinking of was the class of people who had suffered because of their opinions,—the holding of which opinions was considered more or less a technical offence but which could no longer be described so, having regard to the change in the outlook not merely of those prisoners but of the Government as well in a sense. The Honourable the Home Member brought in those people who were found in possession of bombs and explosives; he brought in offences under the Arms Act. And then offences committed with religious motives.—I do not know how that could at all be germane to the present Resolution. Then he says:

"This is the monstrous proposition which he asks this House to accept . . .", the monstrous proposition being that people who have been detained without trial and people who have been detained for holding certain opinions which can no longer be considered objectionable, should be set at liberty or should be placed before a constituted court of law for a regular trial. The Honourable the Home Member makes this observation:

"The Honourable the Mover went so far as to say that Communists and Fifth Columnists are patriots."

I have gone through my Honourable friend the Deputy President's speech, and I did not find any reference to Fifth Columnists, far less any description of such Fifth Columnists as patriots. He did

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadian Rural): I did state that the Communists are patriots. I stick to that statement, I repeat it.

Mr. K. C. Neogy: Quite right, and he is in very good company. I understand that there is a very distinguished personage in residence in Queen Victoria Road, No. 4 or 1, who, not very long ago, was suspected to have very distinctly Communistic leanings, and I understand that he has come out as a messenger from His Majesty's Government

The Honourable Sir Sultan Ahmed (Law Member): No. 1!

Mr. K. C. Neogy: I am thankful to the Honourable the Law Member for the information. I understand that he has come with certain very important proposals, a sure effect of the acceptance of which may be a very considerable unemployment among the Members on the Treasury Benches. Apart, therefore, from the Communistic leanings of this gentleman, is it right that a person who has come out with such diabolical intentions should still be at large? Now, Sir, every morning we see the handsome features and the winning smile of this gentleman

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member had better stick to the Resolution. He is wandering away from the Resolution. He is referring to a subject which is not before the House on this Resolution.

Mr. K. O. Neogy: Now, Sir, after dealing with the communists, the Honourable Member in charge went on to harangue the House on the necessity of keeping up the morale of the people and I do not know what earthly connection this keeping up of morale has with the limited object of the Resolution. Obviously, my Honourable friend had a manuscript before him which had done duty on some other occasion and he thought he might as well try to fit it into his speech on this occasion too. Now, Sir, he said:

"When I speak of morale, I mean everything that contributes to the will of the country to resist and to suffer, if necessary, in defence of its principles."

My Honourable friend has not told us what he considers to be the principles in defence of which the country must resist and suffer in defence and then he says:

"I mean such things as confidence in victory, confidence of the people in themselves and their leaders."

I do not know what he means by 'leaders'. I wonder if by any chance he includes the members of the Treasury Benches and officers of the Government of India in this term.

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

Mr. K. O. Neogy: I must not forget to mention another category of political prisoners who are present here among us, prisoners who have been loud in their protestations of an illusory joint responsibility of the Government of India and have, it seems to me, come to love their gilded cage. Whenever questions are asked as to whether they know anything about the adoption of any policy in such important matters, well, they are perhaps expected to put on a smiling face and say 'We are a happy family'; but the country knows that they have no part or share in the decision of vital questions of policy such as is involved in this Resolution.

Mr. President (The Honourable Sir Abdur Rahim): This has nothing to do with the Resolution.

Mr. K. O. Neogy: To them I say "Either assert yourselves, or get out".

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadian Rural): **Mr. President**: This Resolution again seeks a recommendation of this House to the Governor General in Council that steps may be taken for the immediate and unconditional release of all political prisoners, and detenus in this country. Sir, this is a hoary old question which has cropped up so often in this House, ever since the inauguration of this Assembly. It may very well be termed a hardy annual which grows in the legislative atmosphere of Delhi almost every Session only to

be mowed down by the steam roller of the bureaucracy. As I rise to speak on this subject once again today, I am reminded of a very famous passage in the speech of Edmund Burke on American taxation. Edmund Burke said:

"For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn and our stomachs nauseate with them. We had them in every shape; we have looked at them in every point of view. Invention is exhausted, reason is fatigued, experience has given judgment; but obstinacy is not yet conquered."

This passage represents exactly and vividly the position of us here in relation to this subject. It is a well known fact of history that disastrous results for the British Nation followed from that pig-head obstinacy. It cost them an empire. Here, in this House, Session after Session, we have been bringing Resolutions asking for the release of people detained without trial, and for the release of people convicted of purely political offences. All manners of arguments has been advanced by us, but the irresponsible and irresponsive bureaucracy moves on as usual with its out-worn and reactionary methods and with its old stereotyped hackneyed arguments which never commend themselves to sensible people. Sir, I do not know if it is possible today for any Member in the part of the House to advance any new argument which has any chance of carrying conviction to those who have stuffed their ears with the wax of prejudice, who have never been amenable to reason, and who believe only in one method and one method only and that is the method of repression. During the last debate on the subject in November last, in the course of my speech, I made some quotation from an article from no less a person than Harold Lasky in which he delineated the political picture of Great Britain in this war, when Great Britain was in the midst of heaviest air raids and when she was fighting for her very existence. Was there a large scale curtailment of civil liberties there? Was there detention of persons without trial or anything like it, on any considerable scale. Harold Lasky had to say that in England, even for actively hindering the prosecution of the war only two persons were punished, but they were sentenced to very light terms of imprisonment. There were in all four cases of conviction for impeding war effort. The punishment that was meted out to them was light fine and sentences of a few weeks' imprisonment, but you have only to contrast the picture here. We do not know today what is the number of persons undergoing detention without trial. The Honourable the Home Member gave certain figures on the last occasion, I mean in November last, and also same figures on the 19th March. But from newspapers we learn that many distinguished men have since been clapped in prison though they have not been brought to trial before any court of justice. The same old process is still going on. And this at a time when India is directly threatened with invasion, at a time when the policy of the Government should be to rouse as much enthusiasm for the defence of the country as possible and not to alienate in any way the sympathy and goodwill of the people by doing anything that might smack of repression. This bureaucracy entrenched in its citadel, snugly sheltering itself in a cosy place far removed from the scene of hostilities, still think that it can carry on in the way it had been doing so long. History will record how it dug its own grave, but to us, public men and legislators of the land, it seems a tragedy that a real change of heart, even at this stage, were not possible in this bureaucracy.

[Pandit Lakshmi Kanta Maitra.]

Sir, various reports have reached us from the relations of respectable gentlemen who have been clapped into prison without trial. A few days ago in the *Hindustan Times* I read the report of the condition of health of Lala Shankar Lal, who had been taken into custody and lodged in a solitary cell in the Delhi Red Fort jail. The report that appeared in the *Hindustan Times*, dated the 25th March, says that his nephew who went to see him was shocked to find his uncle confined day and night in a dark, damp, unhealthy dungeon which could hardly be a fitting place for the confinement of a criminal, much less of a gentleman of Lala Shankar Lal's status. He has been living in an underground cellar which smells badly and has been in solitary confinement. What is the charge against him? No body knows, and the Government never thought it necessary to draw up charges against him or to bring him before a court of justice. You dare not face a court of trial or adduce any evidence. It is grossly unfair that you should give this gentleman this inhuman treatment. Shankar Lal is a business man; he is the Managing Director of a well-known Insurance Company. It is well-known that the poor fellow's business, the Tropical Insurance Company, was almost smashed. The kindly attentions paid to him and to his organisation, the Insurance Company, were enough to kill his institution.

Again, take the case of Sardar Sardul Singh Cavasher, a leader and a business magnate, who has recently been lodged in jail at Lahore Fort. The same kind of treatment is being meted out to him. He is kept in solitary confinement day and night in an underground cell in the Lahore Fort, which is not fit for human habitation. No attention is paid to his complaints about certain disabilities, he has been suffering ever since his detention. He has lost in weight and his health has been greatly undermined. He is suffering from some physical ailments and no medical aid is given to him. He is a big business man being the Managing Director of a Bank and an Insurance Company, both of which have been very greatly affected.

Recently, several other gentlemen also have been suddenly taken into custody. Mr. Mukandlal Sarkar and Srijut Satyacharan Bakhsi have been put into prison. Satyacharan Bakhsi has of late served out a long term of imprisonment and since his release he has been in very delicate health. This gentleman has again been taken into custody. And why? We do not know whether they are going to be placed on trial.

Sir, I am amused when I hear Treasury Benches talking big about change of heart, or about creating new enthusiasm everywhere and all that as I know they do not mean it. Now, Sir, the Honourable the Home Member read us an elaborate sermon the other day in reply to the debate initiated by Mr. Akhil Chandra Datta, though, I consider, that most of it had nothing to do with the Resolution before the House. He talked of keeping up the morale; he talked of defeatism; he talked of Fifth Columnists. It is all very well to talk in that strain from the Treasury Benches. But may I ask who are the real Fifth Columnists in this Country? Not Indians, I am sure. The real Fifth Columnists are those who, at this juncture in the history of India, create divisions and dissensions and generate an atmosphere which only breeds disaffection and discontent. They are the real Fifth Columnists, not others. Therefore, I turn the tables on the Honourable the Home Member who has charged my countrymen as

being Fifth Columnists; it is they, the Bureaucratic diehards, who are the Fifth Columnists.

We have been passing through very critical times. The Lord Privy Seal has come to this land with the olive branch of peace. But do the Treasury Benches realise that this tender plant is sure to wither away in the atmosphere which they have kept going in this country? Have they done anything to relieve the tension that is at present prevailing in this country between the people and the Government? Have they tried in any way to create an atmosphere for the success of Sir Stafford's proposals?

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

Pandit Lakshmi Kanta Maitra: They have done nothing. As I said, they are enjoying a sort of sheltered existence here and they think they can carry on with their old methods with impunity. But may I tell them that this is not the time to pursue that insane policy. Even the much maligned political prisoners, for whom the Honourable the Home Member has not got even a kind word to say, have declared in favour of the intensification of the war effort against the Fascists. A few days ago, through the columns of the *Statesman*, appeared a long and reasoned appeal from the Chittagong Armoury raid prisoners. They have called upon their countrymen to support the war measure of the Government and to oppose aggression. What gesture has come from the Government to this appeal? There has been no response, no gesture; but perhaps a gesticulation from the Honourable the Home Member. Recently, I read a speech delivered by Swami Sahajananda, a great peasant leader, who has recently been released after a long spell of imprisonment. Coming out of prison, he has appealed to his countrymen to intensify war effort and to rally the forces of the country against the aggressors. But what is the attitude of Government to such leaders? The same old attitude of hostility.

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

Pandit Lakshmi Kanta Maitra: Sir, if Government do not take serious notice of the changed times, if they do not read even now the signs of times, I give them the final warning "Beware of the writing on the wall".

Sir, I support the Resolution.

Babu Kallash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I am at a disadvantage in taking part in this debate because I was absent throughout the debate on this Resolution. However, I wish to point out to the Government with regard to the policy that they are following in this country that, irrespective of their declarations, their policy leads one to conclude that there is absolutely no sincerity about the change of heart for which there has been so much appeal during the course of the debate on the Finance Bill. I am tempted to refer to the appeal made here on the floor of the House the other day by Mr. Griffiths that there should be a change of heart, and there should be the attitude of forgive and forget on the part of the people and that the people should shoulder the business that is before the country now, namely in the business of intensifying war efforts. But may I ask if the atmosphere prevailing in the country is encouraging for the scope of that appeal?

[Babu Kailash Behari Lal.]

There is no doubt that the country is in great danger of being attacked by the enemy. No one is pleased with the dreadful prospect of the country being invaded by the enemy. But at the same time when the people see that their very hearths and homes are being disrupted by the very Government which is expected to safeguard them, then their hearts fail. That is the position before the country now. It does not seem to appear to the Government that this very appeal will fail because the near and dear ones of the people are clapped up in jail. What will be the response in the hearts of those persons whose near and dear relatives are in jails? In spite of the fact that these prisoners have given assurance that they have changed their views, in spite of the fact that they have changed their outlook and attitude, and in spite of their assurance that they will be on the side of the Government in the prosecution of the war, still there is no response from the Government. This policy of Government betrays suspicion in their minds about the people of the country. It has been said that the British Government is prepared to hand over the administration of the country to the people of this country provided only there is unity and unanimity among the people themselves. Of course, this sounds very well when it goes abroad. The people of other countries may also feel that the Government are very anxious to hand over the administration, but it is the Indians who are at fault, because there is no unity among them, they cannot bring about a situation in the country conducive to their taking part in the administration of the country. It is not the fault of the British Government. Of course, to the outsider, this looks so far quite all right. But if it comes to placing our hands on our hearts, then we may scan it and search in vain for sincerity on the part of the Government.

If the Government want to place the country in the hands of the people then why do they keep the political prisoners clapped up in jails? After all, what for are the political prisoners languishing in jails? Of course, there is difference in method with regard to different people. Some people want to take charge of the administration of the country in a particular way; while others, like those in jails, want to take charge of the administration of the country in a different way. There is absolutely no difference so far as the ultimate aim is concerned. All persons of all views and of all shades of opinion are unanimous that the Government of the country should be handed over to the people. But the Government do not see eye to eye with the people in resolving those differences. However, it should not be mistakenly supposed that the people have not got sympathy for their own kith and kin who are languishing in jail. Of course, these young men are prepared to undergo any sacrifice, imprisonment in jail and even death. I may put it to the British people that even in their own country, how would they look upon their own countrymen, if they misguidedly try to keep the country out of the clutches of the enemy? That is the position today. If the Britishers are really sincere in their appeal of forgive and forget, if they are really anxious to hand over the administration of the country to the people, then they must release these political prisoners. These are not mad people to break law and commit terrorism and court jails. That is not possible. You should not think in this strain. If Government have really made up their mind to hand over the administration of the country, if they are sincere, then why should there be so much suspicion about these political prisoners confined

in jails? Let them be given a chance to come out and see how the administration of the country is run. It is here that I put it to the Britishers that they should put their hands to their hearts and find out whether they are really following the policy of forgive and forget, whether there is real change of heart, whether there is real sincerity, in the name of which they are so constantly appealing to the people of this country. The attitude of the Government makes one suspicious about their sincerity. Why should they keep these men clapped up in jails? I am only placing this before the Government so that they may consider this question whether their action in keeping the prisoners in jails is in accord with their professed anxiety to hand over the administration of the country to the representatives of the people. Why should the Government keep a patriotic set of people in jail? These young men are kept in jail because of their intense desire to see their country free.

I am going to give the House some instances of how this suspicion overshadows every branch of the administration. I may mention one example of how the jail administration in the country is being carried on. I happen to be a non-official visitor of the Bhagalpur central jail, and I used to visit the jails often, and on occasions when there was some trouble due to differences between the authorities and the political prisoners, I rendered help to the Superintendent of Jails in bringing about an atmosphere of peace in the jails. With the change of the Congress Ministry which was then in power, suddenly a change came in the attitude of the Superintendent of the Jail towards me. I was told that I should not visit jails often, but only at the time of rotation, that is once in three months. Although, I knew this rule, as a matter of fact all visitors used to visit the jails often without any restriction. They used to ascertain from the political prisoners all about their grievances and wherever possible, they made recommendations to the Government for steps being taken to remedy those grievances. As soon as there was the change of Ministry, the Congress Ministry going out and the present Section 93 Government taking its place, I received a letter which was very discouraging. What else can there be at the back of this policy except suspicion? In spite of the fact that I had been helping the Superintendent of the Jail in maintaining order and proper atmosphere in jails, I was not allowed to visit the jails. The Superintendent of the Jail was an I. M. S. He was there even before the Congress Ministry took office. He took my help often, but all at once with the change of policy in the Government his successor was completely a different man. To my mind, there was nothing except the suspicious policy of the Government, which was responsible for the new way in which they behaved.

Another thing I want to point out is with regard to those prisoners in jail about whom Government made their intention clear about releasing them, *viz.*, the satyagrahi prisoners. Some of them are even now rotting in jail in spite of a declaration that there will be a general release of these prisoners. I do not know whether they have been released in the course of the last few days but only a fortnight ago they were rotting in jail, although they should have been released, according to the declaration of Government. There is no meaning in the declaration if action is delayed by their subordinates for no reason except suspicion. That is why I put this to Government that they should once for all issue instructions to their subordinates, when they decide to embark

12 Noon.

[Babu Kailash Behari Lal.]

on a general policy, that that policy should not be nullified by the over-zealousness of the subordinates. If that is done Government will be saved from blame and also people will be thankful to Government. Sir, if Government are really sincere and really want that the people should forgive and forget the past and join the defence of the country they should at once follow a policy of sincerity and release the political prisoners who are only an object of Government's suspicion and nothing else.

Mr. Govind V. Deshmukh (Nagpur Division : Non-Muhammadan) : Sir, in rising to support this Resolution I wish to bring one case to the notice of the Honourable Member in charge. I will not say much on this Resolution because I have spoken on this subject before. It relates to one Jagadamba of Cocanada, a woman who has been a detenu for a year in the Vellore Presidency Jail for women. She has committed no offence and no charge has been made against her. She is in an ailing condition and is granted interviews very rarely; and persons wishing to interview her have to go from Cocanada to Vellore which is at a distance of about 350 miles. It is very difficult for poor people to undertake this journey and one has to change the train three times. The treatment given to this woman is such that it deserves the sympathy of every person. She is almost cruelly treated by the woman in charge of this jail and I have heard it from very reliable people. To mention only one, Mrs. Subbaroyan, who is a Member of this House, says, that the treatment given to her is most cruel, unsympathetic and heart-rending. I therefore hope the Honourable Member will make sympathetic inquiries and do something. What is her fault? It has not been suggested that she gave any speech or incited people or tried to preach any disaffection among the masses. I do not know what information Government have but I only know that her father, Dr. Veeraiyer, was a political prisoner; and are the sins of the father to be visited on the children? That is hardly a fair way of doing justice. I hope the Honourable Member will consider her case with sympathy and release her.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division : Non-Muhammadan Rural) : Sir, the question of the release of political prisoners comes off and on to be discussed on the floor of this House and talked out. Our Resolutions are merely recommendations and we cannot bind Government to act according to them even if we get the majority of votes on our side. Consequently, this discussion being only formal, it behoves the Honourable the Home Member to accept it and look at the matter with the greatest consideration. We cannot go into division nor can we compel him to act according to our demands. Sir, we are passing through a crisis. On the one side the Japanese are knocking at our door, and on the other side Sir Stafford Cripps is at our threshold offering us something which we can accept or reject. Both the parties are offering us freedom. What he brings us is to be given after the war, but the policy which the present Government should adopt for getting more co-operation and help from Indians is to change the policy which they have followed for years. I myself have been a political prisoner for many years and I know that the charges made against them are not always based on facts. Merely on rumours and information given by informers. A man is incarcerated or made a detenu without trial. I need not deal with those questions because it has been the usual policy of Government to confine a man in prison without trial. That policy itself stands self-condemned and no

civilised Government should resort to this imprisoning of people without trial. But although we have been under a civilised Government for a long time we have been suffering this. People are made even State prisoners on lawless laws which were adopted in 1818. Now-a-days, the Defiance of India Act is an easy handle for putting men into prison and many people are in jail on account of this Act. This policy should be changed at once to show the *bona-fides* of the British Government in India with a view to create an atmosphere of peace and goodwill; and without that I am afraid the British Government cannot have the whole-hearted co-operation which Indians are now ready to give them. It will not only be indiscretion but an act of criminal and wilful negligence if the Honourable the Home Member does not take this opportunity of showing *bona-fides* of British Government in the offer made by Sir Stafford Cripps.

Throughout India there are families from which many young men have been taken away and kept in prison. Of course, the number is not very large in comparison with the population of India. That was the argument of the Honourable the Home Member when he last time spoke on this subject. He said that out of four hundred million people only a few thousands were in jail and that did not mean a repressive policy. I am not talking of repressive policy. I am talking of freeing those persons who are in prison. In our youth we knew people who believed in revolution as a creed, they advocated violence and they did not care what punishment was meted out to us, either imprisonment or gallows. But, Sir, those people who were working as political workers in India—in the Congress led by Mahatma for the last 20 years—had practically given up the idea of violence and have taken up non-violence as their creed and policy. Within the Congress we find there are the Congress Socialists, the Communists, and the Trade Unionists. They have all been working under the Congress policy. Consequently those men who have been detained in the prison and who came within these parties deserved to have been released without any difficulty long ago and should be released now without any delay. Those people who had been convicted on charges of violence, like Chittagong raiders, have clearly shown in their own petitions and statements, as published in the *Statesman*, that they were eager to co-operate with the Government in the war. They are votaries of freedom now, they are anti-Fascists and it is not their desire to see India being conquered by the Fascists. Those anti-Fascist people who are now rotting in jails in Bengal as convict prisoners of Chittagong should at once be released. There is no reason why the Honourable the Home Member should not insist upon their release by advising the Provincial Government to release them at once.

Sir, with regard to the Forward Bloc people, there is a suspicion, but so long as the war had been taken to be a war of Imperialism there was a possibility. But since the war has been taken to be an anti-Fascist war, there is not a single party, I believe, amongst the political workers who will take it into their heads to welcome any aggressive party from outside. Sir, among the various parties, the Radical Democratic Party had been preaching from the very beginning of the war, and preaching soundly, that the war was not an Imperialistic war, the war was peoples' war, it was the labourers' war, and so on, and, consequently, they appealed to the Indian Government as well as to the Indian people to co-operate and defend India as best as possible against any outside aggression. Therefore, I say that unless Government are assured that there are men amongst the prisoners

[Mr. Amarendra Nath Chattopadhyaya.]

who are not anti-Fascists and who are not willing to co-operate and defend India against any outside aggression, they should all be released at once—whether they are convicts or prisoners without trial. Sir, the time is ripe now for the Government of India, as at present situated, to show that they are ready to get the help of Indian youths and Indian patriots who had staked everything for gaining freedom. If the Government of India stands along with several other nations of the world to fight aggression which is a menace to democracy, it is only right and proper for the Indian Government now to show their *bona fide* by releasing these political prisoners and get their co-operation. It is very difficult to differentiate between the parties, and, therefore, as an experiment I shall request the Honourable the Home Member to give a general amnesty at the present moment to all political prisoners, so that they may come out and join together in the defence of this country. Sir, really speaking, the agriculturists and the industrialists are co-operating. The agriculturists are producing foodstuffs and are supplying the Government all that is necessary. The Industrialists are working hard to supply war materials. But there is a lurking pain in every heart as they know that British Government have not changed their policy and heart . . .

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

Mr. Amarendra Nath Chattopadhyaya: I will just finish, Sir. But there is a lurking pain in every heart and every hearth and home that their children, their relatives and their countrymen have been kept in jails without being tried especially when they are eagerly awaiting orders of release with a view to co-operate with the Government against outside aggression. I hope, Sir, the Honourable the Home Member will take this opportunity of showing the *bona fide* of the Government. With these words, I support the Resolution.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Sir, this morning when I came I thought that perhaps the debate on this Resolution will not be taken up as I thought that during the course of more than a month the Government might have considered the question and especially in view of the changes that have recently taken place they might have reconsidered the position and would have done something for the release of all political prisoners and detenus. But, to my astonishment, when I reached here I found that the debate was going on, and I think that this Government probably cannot get out of the old rut and is still fond of the old routine. Whatever has happened since we discussed this Resolution in November and then in February could not persuade the Government to change their mind. In November last the attitude of the Government was that if these 13,000 or 14,000 prisoners are released, the result would be that there would be a revolution, throughout the whole of India, and, therefore, for the safety of India and for the defence of the country it was necessary to keep them in. A Resolution was brought forward in this House and the Government considered the situation, and came to the conclusion that some of them should be released, and I am glad to find that the majority of them has been released. It is only a small minority that continues to rot in jails. But have the Government not

learnt any lesson by their own experience? They were saying that if these prisoners are let out they would create a revolution in the country, but can the Government point out a single instance in which the opinions expressed by non-official Members have not been correct? Every prisoner who has been released has been found not to revert to old practices and old policies. The elected representatives of the people in this House had recommended the release of all political prisoners, but Government invented a formula by which they restricted the release to a few out of a large number. They are keeping some prisoners still in the jail.

Now, my only submission is that the Government should have enough courage to make another experiment and try to find out whether the recommendation of the elected Members of this House is correct or not. How are the Government to suffer by the release of these two thousand prisoners? Are the Government not powerful enough to send these prisoners back to jail again in case they do any acts which are against the Defence of India Act? I think they are sufficiently strong to do it. Then why should they hesitate to release these prisoners? Why should not the Government have enough courage to release them, especially in the circumstances prevailing today? The British Government seem to have changed their mind. They have come out with certain proposals which are being discussed elsewhere, though not in this House, but the question is, have the Government of India also changed their mind? Are they going to continue their old game and have got no idea of changing their old methods? If so, they are not going to learn anything from their past experience. Sir, there are no instances of people who, after they had been released from jail, had again to be sent to jail for committing unlawful acts. Therefore, my appeal to the Honourable the Home Member is that it is high time that he should show a change of heart. The Government must respond to the voice of the elected representatives of India and do something by which they will enhance the prestige of the Government and not lose anything. I think it is only fair that the Government should leave the decision of this matter to the elected representatives of this House, and then consider whether they can meet their wishes or not. There is no question of any controversy between the Government and the Members of this House. We want the Government to change their attitude, and in the circumstances prevailing today, it is high time that the Government did change their attitude. With these words, Sir, I support the Resolution.

Sardar Sant Singh (West Punjab : Sikh) : Sir, I have very few observations to make on this important question which has engaged the attention of the outside world more than it has done of this House. This question was discussed several times during last year and this is the third time when this question has cropped up again. The views of this House have been made very clear to the Honourable the Home Member on this point. The result is that, according to the Urdu Proverb

"Murz bahrta gaya jun jun dawa ki,"

. the more we talk and press for the release of political prisoners the more are being put behind the bars on very flimsy pretexts. The recent arrest that has taken place of the Sikh leader is that of Sardar Udham Singh, Jathedar of Amritsar. He occupies a very high place amongst the Akalis, and I personally know that he had nothing to do with any political activities which can in any way be described as objectionable. The difficulty arises in this way: When we approach the authorities

[Sardar Sant Singh.]

for the consideration of such cases, they tell us that action has been taken by the Provincial Government. Constitutionally and technically speaking, the Central Government may be right, but it does not take away the sting out of the arrest or detention of a political prisoner. I have tried to understand the logic behind these arrests. The Defence of India Act was passed presumably to see that war effort was not hindered. That principle was accepted by this House, but it was distinctly understood then that political animosity, party allegiances and similar activities would not be put down under the pretext of the Defence of India Act. I know of several cases of Sikhs who are under detention. Plausible case has been made out by relations of such detenus to show that activities other than those which hinder the war effort have been made the basis for these arrests. The other day I mentioned one case of a few persons in Delhi who were prosecuted under the Goonda Act; when the Court found that the Goonda Act did not apply to the facts of the case and acquitted those people, action was immediately taken to extern them from Delhi; as soon as some of them went out of Delhi and took residence in Ghaziabad outside the province of Delhi, somehow or other the machinery of the United Provinces Government was set in motion and they were put under detention. Well, Sir, it is very difficult sometimes to understand the acts of the Government. Unless the Government take upon themselves the responsibility of issuing a communique stating the reasons as to why particular individuals were arrested at Ghaziabad, it will be very difficult to understand the real reasons. No reasons are publicly stated; the public is not taken into confidence. The only version which the public knows is the one given by relatives of the detenus. In this case it is alleged that vindictive spirit of some local gentleman who wanted to see these people in jail, not being satisfied with the order of acquittal of the court, is responsible for their detention. The rule of law was superseded by a rule of the executive order and these people were detained at Ghaziabad.

Then, there is another case of a Granthi of Gurdwara Sis Ganj, Delhi. His son was guilty of some activities which probably were not to the liking of the executive of the Delhi province. Not only was the son put behind the bars, but his old father too was put behind the prisoner bars. His wife came to me this morning and told me a story which I could not believe. I told her that there must be something, but what that something is the executive Government does not care to tell us, and in the absence of that, we are bound to believe the stories told to us by the relations of these prisoners as the correct stories. If the relations of these prisoners are not informed of the true facts, if their near and dear ones are not informed of the actual offence, as to whether these people who are kept in prison have transgressed any law or their activities have in any way hindered the war effort, what is the earthly good of detaining them...

The Honourable Sir Reginald Maxwell (Home Member): What is the name of the person to whom the Honourable Member is referring?

Sardar Sant Singh: Sardar Jiwan Singh, if I mistake not. The first one at Ghaziabad is Sardar Beant Singh. Now, is it or is it not the duty of the executive Government, if they want to make their laws effective, if they want to maintain the dignity of the law, to take the public into confidence and tell them that such and such a person is detained for such

and such an offence by which he has hindered the war effort and he has thus come within the mischief of the Defence of India Act? But no such step is taken. The plea taken by the Honourable the Home Member, the other day, was that out of a population of 40 crores only a very small fraction was being detained. May be, in terms of ratio, it may be a very insignificant ratio or percentage and this may be overlooked because such a small percentage has transgressed the rules made under the Defence of India Act. If it be so, is it not proof that the bulk of the population, on the contrary, is willing to help the war effort? A large proportion of population is helping Government, and why should not the Government take a bit of risk and thus appease the public and win over public sympathy towards Government by releasing such a small fraction of people? The time has come to release them, and we have noticed a distinct change in such people. The other day the armoury raid prisoners issued a long statement. It was published in full in the *Statesman*, and the Editor of that paper made a very favourable comment upon that statement. Is it not evidence and proof of the fact that there is a change among those who are being detained? The changes that have taken place so rapidly in the political atmosphere of India have made these detenues realise their responsibility towards their own country and towards this world war. I will, therefore, ask the Honourable the Home Member, on grounds of self interest, not on grounds of charity or of sympathy, but on grounds of self-interest, the larger interests of the country, to accept this Resolution.

The other day the Honourable Member pointed out the difficulty of defining who political prisoners are. That difficulty may be for the Secretary of the Legislative Department, there may be a difficulty when it comes to putting down in exactly legal language what a political prisoner is, but generally speaking, the Honourable the Home Member understands it, the European Benches understand it, Indian Members understand it, to whatever phase of political thought they might belong. The word has acquired a significance which nobody can question. It is a self evident truth, as to what a political prisoner is. You may exclude those who with political motives have committed offences involving violence, actual acts of violence,—you may exclude them. Those who are merely guilty of expression of opinions, however, strong the language that they may use, but if there is no act of violence, should be let off and the present atmosphere improved. I will, therefore, appeal to the Honourable Member to consider the question from a broad point of view and not bring in the police mentality to bear upon such cases. There is a difference between a police officer and a magistrate. One suspects everybody and regards him guilty, while a magistrate begins by regarding the subject as innocent unless he is proved to the contrary. The Home Department is probably obsessed with the police mentality regarding every man as guilty unless he is proved to be innocent. I wish that the mentality of a judicial officer should be brought to bear, and unless there are strong grounds and proofs to the contrary, everybody should be enabled to enjoy his liberty in this country. One point more I shall ask of the Honourable the Home Member. In his last speech he promised that the cases of these persons will be examined by some sort of quasi-judicial authority.

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

Mr. N. M. Joshi (Nominated: Non-Official): It is more than four months since he said that.

Sardar Sant Singh: Four months have gone. I will request the Honourable Member to let us know now many cases have so far been examined and with what result.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Let the question be now put.

Mr. Akhil Chandra Datta: Whatever might have been the difficulty of the Honourable the Home Member to understand it, my Resolution was absolutely clear, namely, it asked for the release of a certain class of people, a well defined class of people. I said that this Resolution seeks the release of those people who are known as security prisoners detained without trial, and their number is 1,025—that was the number given by the Honourable Member himself. So that, there may be pettifogging to any extent, but really there was no difficulty in understanding the scope of my Resolution. I knew the Honourable the Home Member and his Government, I knew that he was a typical diehard bureaucrat, and, therefore, I was absolutely prepared for that position, namely, that he would oppose my Resolution. But I never expected the sort of speech that he made on that occasion. It was not only a fighting speech but it was a furious speech.

The Honourable Sir Reginald Maxwell: May I ask to which occasion the Honourable Member refers?

Mr. Akhil Chandra Datta: I am speaking of the Honourable Member's reply to my present Resolution.

The Honourable Sir Reginald Maxwell: May I ask if the Honourable Member has read the official report of my speech here?

Mr. Akhil Chandra Datta: Yes, it is here and I shall refer to it immediately. I shall substantiate my allegation by quotation from that speech in a moment, but before I do so let me say this. I wanted the release of some people. He opposes that,—I understand that, but he is not satisfied with that. He wants to rope in a very large class of people. He wants to extend his tentacles—I use his word—poisonous tentacles from political prisoners to all political workers, (Interruption) to all political movements. I shall at once quote his remark. I have never heard of a more sacrilegious remark from those sitting on the Treasury Benches than the one made by my Honourable friend. My Honourable friend said:

“Political movements in this country tend to advocate disaffection almost as if it were an end in itself . . .”

Mind you, he talks of political movements, speaking generally. Then he proceeds:

“Many political parties regard it as their duty to act as factories for the manufacture of defeatists and Fifth Columnists.”

That is an astounding assertion.

Pandit Lakshmi Kanta Maitra: Columniater of the whole people!

Mr. Akhil Chandra Datta: On my own behalf and on behalf of my countrymen, and on behalf of all political parties and of all those people who carry on political movements in this country, I challenge the statement of the Honourable the Home Member. I ask, is that true? It is a black lie.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not entitled to use that language.

The Honourable Sir Reginald Maxwell: Is the Honourable Member entitled to use such an expression?

Mr. President (The Honourable Sir Abdur Rahim): No. The Honourable Member must withdraw the word "lie".

Mr. Akhil Chandra Datta: I withdraw that word as this word is unparliamentary. I withdraw the word "lie", but I say instead it is untrue, deliberately untrue. That will make no difference in substance.

I say that it is a monstrous and outrageous libel against all political movements in this country. You make a sweeping generalisation like this without making any discrimination between one party and another party. It is a foul calumny against all people who love the freedom of this country and want to make their country free. Now, Sir, it is an insult to the whole people; it is a cowardly attacks made upon the people and all political workers in the country by his taking advantage of his privileged position in this House and the seat he occupies in those Benches. It is possibly a parting kick, but all the same it is a kick. I shall say this that if he has any regard for truth or fairness or the feelings of the people or for the interests of his own country or the interests of this country he ought to withdraw that statement and unconditionally apologise for the statement. It is an absolutely untrue statement.

Supposing for argument's sake that his statement is not false, that it is true. Let me proceed on the assumption that he honestly believes that this is true. If that is so, then this is the greatest condemnation of the British rule in India, a brutal confession of a brutal fact, namely, that after 150 years of rule over a most civilised people, you find the people of this country hate you, they distrust you. This is your confession. This is your description. You find that they are sick of you, they hate you, they distrust you and want to get rid of you. They want to invite your enemies that is what you suggest. They want to invite an unknown devil in preference to a known devil—so desperate is the position of this country according to your confession

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to address the Chair.

Mr. Akhil Chandra Datta: When I say "you", I mean the Chair.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member, I am sure, does not mean that. The use of "you" in that context would lead to misunderstanding.

Mr. Akhil Chandra Datta: What I mean is this. It has long been the practice in this House to say 'you' when addressing the Government. It is not right but it has been the practice to speak in that strain and it is understood what the speaker means. Unfortunately, it might be thought that it is casting a reflection on the Chair but that was never in my mind.

Now, Sir, if that is the description that the Government want to give of the conditions in the country, then the Honourable Member ought to be ashamed of the activities and achievements of the Government during the last 150 years. It only reminds me of a certain historical pronouncement made by no other man than Sir Stafford Cripps, the most accredited leader and spokesman of Great Britain at the present moment. He said:

"You have only got to look at the pages of British Imperial history to hide your head in shame that you are British."

Now, Sir, the Honourable the Home Member has told us that the object of all political movements is to manufacture Fifth Columnists.

The Honourable Sir Reginald Maxwell: May I correct the Honourable Member? I never said 'all'. Read out my words.

Mr. Akhil Chandra Datta: I have read once. I shall read it again.

"Political movements in this country tend to advocate disaffection almost as if it were an end in itself. Many political parties regard it as their duty to act as factories for the manufacture of defeatists and Fifth Columnists."

The Honourable Sir Reginald Maxwell: Where is the word 'all'?

Mr. Akhil Chandra Datta: That is all your complaint. Is it seriously contended that this is not a sweeping statement to make.

The Honourable Sir Reginald Maxwell: The Honourable Member misquoted me. I never said 'all'.

Mr. Akhil Chandra Datta: What about the statement just quoted: Political movements in this country

The Honourable Sir Reginald Maxwell: 'Tend'.

Mr. Akhil Chandra Datta: 'tend'—Yes but it is a serious charge to make against political parties that they manufacture Fifth Columnists

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that more than once.

Mr. Akhil Chandra Datta: When I moved my Resolution, I did not use any strong expression. It is the Honourable the Home Member's strong language that has provoked me to use this strong language. As regards Fifth Columnists, may I say this. If a certain gentleman, the Home Member, declares from his place in this House that the country is seething with disaffection and honeycombed with Fifth Columnists

and are ready to fall a prey to the enemy, is not that kind of speech calculated to help the enemy? I do say that he is helping the enemy. Was that statement made in the interest of India or Great Britain or in the interest of Japan and Germany to tell our enemies—'Look here, Japan, here is India seething with disaffection and honeycombed with Fifth Columnists.'? If anybody makes a statement like this, he is the arch Fifth Columnist of all Fifth Columnists. I want an answer to this question—who manufactures these Fifth Columnists? Political parties or speeches such as that of the Home Member?

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

Mr. Akhil Chandra Datta: Have they ever given a thought as to why there are so many Fifth Columnists in this country? The Honourable the Home Member has got a new penal code and enacted some new definition of certain offences. Whoever impairs and undermines war efforts commits an offence. Those whose activities are against national safety commit an offence. If you destroy the morale of the people it is an offence. I have no quarrel with the law he has propounded; but I maintain that it is the Members of the Government who are guilty of these offences. If the war effort has been impeded, it is the result of the deliberate, calculated policy of the Government; otherwise India would not have been in this helpless position today. Why did you not mobilise the manpower of India? Why did you not develop the key industries and war industries of India? They have practically opposed the ship-building industry of India. Why are they discouraging the automobile industry in India? You did not make India strong either on land or in sea or in air.

The Honourable Mr. M. S. Aney: You are again using the word 'you'.

Mr. Akhil Chandra Datta: I again beg your pardon. So, Sir, the policy that was followed by the Government was a deliberate policy of crippling India's power of defence. Therefore, I say they are looking to the wrong quarter to find out who are guilty of these new offences.

They want a national front, but national front is impossible without national government. Did the Government of India or the Honourable the Home Member raise his small finger to have a national government?

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

Mr. Akhil Chandra Datta: I shall conclude within half a second.

I repeat today most strongly that the communists are patriots and they are very keen for war effort and it is folly to keep them under detention. But we have got no hope from the present Government and unless there is a clean sweep of the present bureaucrat methods, there is no hope for this country. That is the burden of song even of the *Statesman*.

The Honourable Sir Reginald Maxwell: Sir, may I, with your permission, speak again on this Resolution?

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

The Honourable Sir Reginald Maxwell: Sir, I must thank the House for the moderate tone on this debate with the exception of the Honourable the Mover. The Honourable the Mover appears to be annoyed with something that I said in my previous speech, but when he charges me with using furious language, he is able only to quote only two sentences from what I then said. It appears that his impression is derived either from misquoting my actual words or from some misunderstanding of the exact effect of the sentences which I used. I shall, therefore, not attempt to argue further with him on that point but leave it to other Members of the House who have had the opportunity of reading my remarks in full.

Mr. Akhil Chandra Datta: I quoted the exact words.—I did not misquote.

The Honourable Sir Reginald Maxwell: What I want to say in reply to today's debate is to give the House a few later figures than those which I was able to quote on the previous occasion. The number of persons convicted of offences under the Defence of India Rules and still serving sentences of imprisonment on the 1st February, 1942, was 720 in the whole of India. These offences may have been of any kind and not necessarily "political" offences. They include even such offences as trading with the enemy. I would ask the House to compare the figure as it stood at the time when on the last occasion Government gave their promise to examine the position. The number on the 1st November, 1941, in the whole of India was 6,548. As I said, the number now is 720. The House can reflect on that. Actually, among the numbers which I have quoted there were a certain number of persons whom I will call Satyagrahi prisoners. The House will know what I mean. The number of such persons remaining in prison on the 1st February, 1942, was 441. That is out of the figure of 720 which I mentioned just now. It is not in addition to them but among them. The number of Satyagrahi prisoners, convicted persons who were released in consequence of the Government announcement on the 4th December, was 6,475. In addition to persons convicted, there are certain persons who have been detained under Rule 26 of the Defence of India Rules. The number under detention on the 1st February, 1942, was 1,141. The House must not take it that these were all what we call political prisoners. There were a good many other persons of a non-political character, but I cannot get particulars of the exact categories into which they would fall. The major proportion would be the kind of persons which the House calls political prisoners. The corresponding number on the 1st November, 1941, at the time when the Government were considering their announcement, was 1,650. So, the number has dropped from 1,650 to 1,141.

Now, I have already told the House what the policy of the Government is in regard to these detained persons. Acting upon our suggestion, all the Provincial Governments have set up tribunals of various kinds to review these cases. So far as my information goes, this process of review is in progress in all provinces. It is certainly in progress at the Centre in regard to prisoners detained under the orders of the Central Government. The results of that review are not yet known and I am not able at present to give the House any further information about it. But I would suggest that we should await the result of that review before we can possibly consider a Resolution in these terms with further profit.

All I have to say at the moment is, as I said before, that it is not the desire or intention of Government to keep anyone under detention whom we know and can trust to be an anti-Fascist, and there I am entirely at one with what the Honourable Member, Mr. Chattopadhyaya, said. If we know that persons are genuinely and entirely anti-Fascist and sincerely desire to assist in the prosecution of the war, we can have no possible motive for detaining such persons. We are doing the best we can at the present moment to ascertain how many, if any, of the persons now under detention are of that character. Even before the various tribunals got to work, several of the Provincial Governments have themselves been reviewing the cases of their own prisoners. I am informed that quite a number of persons have in recent months been released on the initiative of the Provincial Governments themselves, that is, without any advice from their tribunals, on the ground that these persons by their letters or otherwise had succeeded in convincing them that their mental attitude had changed.

Mr. K. C. Neogy: Is the case of Mr. Sarat Chandra Bose being inquired into by any tribunal?

The Honourable Sir Reginald Maxwell: Not at the moment. -

Mr. K. C. Neogy: Is there any likelihood of the case being inquired into in the near future?

The Honourable Sir Reginald Maxwell: That will have to be considered later in the light of the general situation.

Mr. K. C. Neogy: How long would the Government take to make up their mind on this point?

The Honourable Sir Reginald Maxwell: Some time more, I anticipate.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): May I ask whether the Government propose to remove the ban on Allama Inayatullah Khan Mashraqi who has been released, but who has been interned in Madras, and Madras is in danger of being bombed at any time?

The Honourable Sir Reginald Maxwell: The Allama is not under any ban; he is at liberty at the moment. What is under the ban is the Khaksar Association.

Maulana Zafar Ali Khan: Why can't he go out of Madras?

The Honourable Sir Reginald Maxwell: I have explained, then, that the situation as regards political prisoners is extremely easy in this country. There are really very few persons of that character, convicted persons who are in jail at the present moment, and the cases of the remainder are being reviewed. The Government are fully aware of the dislike which many Honourable Members of this House have for detention of persons without trial, and I, myself, entirely share that dislike. I have no intention or desire myself to keep any one in jail without trial, but in certain cases, we are bound to do it. We have to do many things in war which are not entirely to our liking, but we are aware

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[Sir Reginald Maxwell.]

of the general attitude of the House towards these matters and I may assure the House that we are not so different in our view of these things from them as some of them appear to think. That is all I have to say.

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

"That this Assembly recommends to the Governor General in Council that steps be taken for the immediate and unconditional release of all political prisoners and detainees."

The Assembly divided:

AYES—16.

Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Chattopadhyaya, Mr. Amarendra Nath.
Dam, Mr. Ananga Mohan.
Datta, Mr. Akhil Chandra.
Deshmukh, Mr. Govind V.
Desouza, Dr. F. X.

Joshi, Mr. N. M.
Kailash Behari Lal, Babu.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Mehta, Mr. Jamnadas M.
Muhammad Ahmad Kazmi, Qazi.
Neogy, Mr. K. C.
Parma Nand, Bhai.
Sant Singh, Sardar.

NOES—37.

Abdul Hamid, Khan, Bahadur Sir.
Ahmad Nawaz Khan, Major Nawab Sir.

Aiyar, Mr. T. S. Sankara.
Aney, The Honourable Mr. M. S.
Benjamin, Mr. H. D.
Caroe, Mr. O. K.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.

Dehejia, Mr. V. T.
Ghiasuddin, Mr. M.
Gopaldaswami, Mr. R. A.
Gregory, Dr. T. E. G.
Griffiths, Mr. P. J.
Imam, Mr. Saiyid Haider.
Ismail Ali Khan, Kunwar Hajee.
James, Sir F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.

Khurshid, Mr. M.
Lawson, Mr. C. P.

Maxwell, The Honourable Sir Reginald.

Miller, Mr. C. C.

Mody, The Honourable Sir Homi.

Muazzam Sahib Bahadur, Mr. Muhammad.

Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.

Pillay, Mr. T. S. S.

Prior, Mr. H. C.

Raisman, The Honourable Sir Jeremy.

Richardson, Sir Henry.

Roy, The Honourable, Mr. S. N.

Sahay, Mr. Vishnu.

Sarker, The Honourable Mr. N. R.

Scott, Mr. J. Ramsay.

Shoobert, Mr. W. H.

Spence, Sir George.

Stokes, Mr. H. G.

Sultan Ahmed, The Honourable Sir.

Thakur Singh, Captain.

The motion was negatived.

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

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

RESOLUTION RE THE SUPPLY DEPARTMENT.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I move the following Resolution:

"That this Assembly recommends to the Governor General in Council to take immediate steps to reform the general organisation of the Supply Department particularly its Inspectorate and to devise methods for taking full advantage of cottage industries in the scheme of production."

The object of the Resolution is to take advantage of cottage industries to secure such material as is needed by the Supply Department for war purposes,—ammunition, equipment or a hundred and one other things, going to make up both. The Honourable Member has told us that there is a number of articles which are now produced in India for war purposes and he gave us a long list. The purpose of this Resolution is to see whether the Honourable Member with the help of his Department cannot get articles from cottage industries. For doing this the Supply Department and its Inspectorate will have to be reorganised. At present what happens is that war production is carried on with the help of power machinery and if there is any deficiency in the necessary supply, we have to get them from other countries or possibly from cottage industries to a very small extent. At present, however, it is very difficult to get power machinery on account of enemy countries having made the lines of communication unsafe for us. It thus becomes obligatory on this Government to not only rely on power machinery but to resort to cottage industry to make up the deficiency of supply. How can the cottage industries be made useful to make up this deficiency?

Again the cottage industries will not only make up the deficiency of war supplies, but, incidentally, the purchasing power of those who run them will also be increased. Of course, the cottage industries can be stimulated only if there is a change of policy on the part of the Supply Department. At present what happens is that the Supply Department gives orders for necessary war materials to big firms which manufacture them with power machinery. So they should make an inventory of things which can be manufactured by cottage industries and also those articles which are required for war purposes and see how much of that can be manufactured. They may not be up to the required specification but it will have to be seen how many of them can with slight modification come up to the mark, though they may not be equal to what power machinery produces *i.e.*, they may serve our purpose. I shall give a few instances. I was told by my Honourable friend, Mr. Abdul Qaiyum of Peshawar, that Government are short of rifles. The deficiency has to be made up, either because they cannot manufacture them in sufficient numbers or the machinery may be out of order or spare parts may not be available. But the fact was that they were short of rifles; and you may be aware, Sir, that in the tribal areas they manufacture rifles. So Government first asked these people to join their factories, which they refused. Then Government asked them to make rifles in their own cottages which they offered to purchase from them at a fixed price; and I think now these tribal people are manufacturing about 80 rifles a day which they sell to Government. So it is clear that production can be supplemented by cottage industries if Government so desire. An inventory of the articles required has to be made which they cannot secure, and then they should make an inquiry as to the articles which can be manufactured by cottage industries.

I will give another instance. There are substances made of casein which is made of milk; and from milk casein can easily be prepared in cottages. That casein can be supplied to big stores and articles can be made out of that. Take again the case of textiles,—the handloom weaving industry. At present of course they are turning out blankets. May be that more are necessary and hereafter not only woollen blankets but other things made of cotton could certainly be secured from these men who work in the cottage industries—the weavers. And what is more, they would improve their monetary condition. There are hundreds and thousands of

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other things besides what I have mentioned—rifle making, casein and textiles—which could be manufactured in this country. Take, for instance, the casting of non-ferrous alloy. If you supply lathe to some of the men in this business they will turn out a number of small parts. If I am not mistaken, and my information is correct, there are many persons prepared to take this up. It is not such a tool that cannot be manufactured in India, but the trouble is that they are sold though these may be in stores. But supposing the Supply Department were to say that these lathes should be sold to such and such a person, I have no doubt that the lathe will be available to them.

I have mentioned a number of cottage industries which could be carried on in the villages, and if the Government is so disposed and the Supply Department is so disposed, then certainly many of the things can be manufactured. It may be said that some of the big things cannot be manufactured but at least the spare parts could be manufactured in this country or the parts which are worn out could be replaced. For instance, copper wire, which is so necessary for electricity purposes, could be manufactured here. It may be said that locally manufactured copper wire would not be so fine, but I am told on a very reliable information that for these purposes first class copper wire is not necessary. Then I am told that there is a company which is prepared to undertake the manufacture of telephones. I understand an order was received by a firm in India for a large number of telephones, but all of a sudden somebody from Australia applied and that Company got the order, and all that this Indian company was asked to do was to manufacture parts. The Indian company replied after consultation and after taking advice from its own experts that it would not be profitable merely to manufacture spare parts. Sir, I submit that things which can be manufactured in India should be manufactured here so that they would be readily available to the Departments concerned, and thus would benefit India in so far as the money will not be going out, and could be utilized for our purposes. If the Supply Department is more watchful and if those responsible in the Supply Department think that India itself is a country which ought to receive help first and which should be given priority in the matter of supply and not foreign countries like Australia and other members of the Commonwealth, they ought not to give preference to others. It is, therefore, Sir, that I say that the Supply Department has got to be very watchful and very careful.

This leads me to the main point contained in this Resolution, namely, the Inspectorate. We have had some discussion on the floor of this House on this subject. Certain allegations were made that the system in vogue was very defective, and my Honourable friend, Sir Ziauddin, had made a point that this system which allows Inspectors to be engaged on daily wages is really a most unsatisfactory system; it leads to corruption. Those Inspectors who are entrusted with the task of examination and selection do not know anything about the articles they are charged to deal with; they are not experts; they do not know anything about the business. The result is that palm oil, which is supposed to be plentiful in this country, is flowing into their hands. So I submit, Sir, that that point which Dr. Ziauddin made should also be looked into. But what I am thinking of is this. Your Inspectorate should be such that it will encourage the indigenous products; it implies the re-organization of the Supply Department; it

should be such that would encourage articles to be manufactured by the cottage industries and the articles so manufactured should not be rejected on ordinary grounds. For that you would require a very satisfactory, a very competent and a very sympathetic staff in the Supply Department. They should encourage the cottage industries. The Supply Department is not merely to make an inventory of the articles which can be manufactured by the Indian Industries, to investigate and give those concerned the necessary scientific assistance, but they should be prepared also to give financial help, because these are poor people and more help and more sympathetic heart would be necessary to encourage these people to start cottage industries.

To sum up, Sir, I have given a list of a few things which can be manufactured in the villages. I have also said that the procedure to be followed should be that the Inspectorate should be a sympathetic one. And then I have said that it is very necessary that the Supply Department should devote more of its energy, time and money to find out what things can be manufactured in part or wholly by these cottage industries.

Now, I will, incidentally, refer to the question of short-staple cotton. Now, what happens in our villages is this. I do not know if the Honourable Member in charge of the Supply Department has ever lived in a village, as I do. What happens in a village is this, that they not only produce food that is required for their needs for the whole year, but they also produce coarse woollen as well as cotton cloth. One who lives in a self-sufficient village has not to look to any factory or other concern outside his own village for his clothing requirements. If the Supply Department modifies its specifications in a manner to suit the villager to turn out things which would meet the war requirements, it will not merely help the villagers but also the middle class people who live in the cities. The villagers will also be able to supplement their income, in this respect. I am here talking with special reference to cottage industries. Let me first of all define what I mean by cottage industries. Cottage industries are generally understood to mean industries which are started on a small scale.

Now, when I speak of cottage industries, I mean industries started in a small place and with a small capital with the help of ordinary machinery or tools, and in places where there is an abundance of raw materials. For that purpose an initial investigation should be conducted to find out not merely what kind of raw materials are available, but also what kind of articles can be manufactured in a particular locality. Sir, there are many industries, some of which I have specified, which can be started as cottage industries in villages. Even in small cities such cottage industries can be started with advantage, and if these cottage industries are started in the villages, it will suit the agriculturists admirably. Everybody knows it, and I have complained several times on the floor of this House, about the miserable condition of our agriculturists. They live from hand to mouth; they have nothing to fall back upon. They may produce food like *jowar* or *hajra* or wheat, but everybody will not consume his entire production nor will he be able to meet all his needs by producing such crops. The idea now is to let the villagers produce more food crop. Nobody will disagree with it. But will he be able to meet all his requirements by merely producing food crops? Supposing a doctor visits a villager. Is he to get his fees in the shape of wheat or *jowar*, say, *jowar* worth ten rupees? The doctor cannot carry all the wheat and *jowar* in his pocket. It is enough

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if the villager is merely encouraged to produce food stuffs, because he has to meet his other needs like the education of his children, marriages in the family and so on. They have also to look to the health of their children, and they have also to look to sundry needs, and therefore he cannot entirely depend on the food crop which he may produce. Of course, he is a benefactor in a way, in that he helps the towns people to meet their food requirements. In that way the villager is playing a very noble and excellent part, but for this what is the gratitude shown to him? Even a little encouragement is denied to him. The position now is this. A fellow who could have made some money by selling his surplus produce, produce which is left over after setting apart for his needs, such as food for his consumption, seed for cultivation and all he is not allowed to sell his surplus produce, he is not permitted to remove his surplus produce from his district to another in my province to sell it.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Is this the Supply Department's doing?

Mr. Govind V. Deshmukh: Have you secured any tenders for your business?

Babu Baijnath Bajoria: Yes, I have.

Mr. Govind V. Deshmukh: Then you may well advocate the cause of the Supply Department.

Babu Baijnath Bajoria: I am only reminding you that you should speak about the Supply Department.

Mr. Govind V. Deshmukh: I did not think you were in the Chair. I am talking on points which are relevant. If you have not been able to follow me, I am very sorry.

I say, support cottage industries. Organize the Supply Department in such a way that the village products may be used with advantage for the use of the Army. In that case the villager will be able to stand on his own legs, he will have some additional occupation, and he will be free from the clutches of the money-holder. If any help is to be given by the Supply Department it should be given to the villager who now lives, as I have often said, from hand to mouth, and yet unfortunately everybody is down on him. The civil population in urban areas cries aloud when the prices go up; they say—'look here, all prices are going up, and we are dying', but when the poor villager is dying, there is nobody to sympathise with him. If the villager owes any money to the money-lender, the latter will have no sympathy for the villager, and even the courts show no sympathy to the poor agriculturist. Therefore, Sir, as I have pointed out, the Supply Department should be properly organized, the Inspectorate should be organized in such a manner that the village industries will be encouraged and helped as much as possible. My point is, we should plead for village industries not merely for encouraging the cottage industries or supplying the deficiencies in the country in the way of raw material and equipment, but also in the interests of the agriculturists themselves. If by throwing one stone you can kill

two birds at the same time, where is the harm, why don't you do it? You will get your war supplies all right, and you will make the agriculturists more happy

Babu Baijnath Bajoria: I am glad my interruption has brought the Honourable Member to the right track.

Mr. Govind V. Deshmukh: I was always on the right track, but you did not see it; it was not my fault. Now, as I was saying, the scheme of production introduced by the Supply Department is with a view to get war material, and for that purpose, as I pointed out cottage industries should be encouraged as far as possible, because if you do that, it will not merely help to get all the necessary war material, but it will also help the material condition of the poor agriculturists. Is that an argument to be easily brushed aside, especially by men like my friend, Mr. Bajoria? To fight the enemy we must have the war material. I have not suggested that we should in any way hinder the war effort. What I say is, you should organize your Supply Department in a manner that you will get your war materials from villages, because then you will be helping the agriculturists also. Take the help of the villagers for your equipment. By so doing you will do a good turn to the poor villagers. I, therefore, move this Resolution, and I hope I will get the support of the Honourable the Supply Member, though I am not very particular about the support of the House.

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

"That this Assembly recommends to the Governor General in Council to take immediate steps to reform the general organisation of the Supply Department particularly its Inspectorate and to devise methods for taking full advantage of cottage industries in the scheme of production."

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I assume that the present war will continue for about three years more, and that India will have to depend on her own resources for the supply of raw materials. You cannot get machinery from England or America, and we will have to make the most economical use of our own products which we may get from our cottage industries and it is in this spirit that I support this Resolution. When the war broke out, our supply in this country was much greater than the demand. The Supply Department made the initial mistake in raising the prices by 20 per cent. Consequently, prices all over India were raised in sympathy with the action taken by the Supply Department. There was a rush of contractors, and now in an atmosphere of jealousy and corruption, they sat down together to reorganize the Supply Department. We know that there are three Sections in the Supply Department,—one was called the Indian Stores Department to supply our civil requirements, then we had the Quarter Master General who purchased foodstuffs for the army, and then we had the Master General of Ordnance who used to get other things for the army. These three organizations, though seemingly amalgamated now but in reality they have not been combined and they have kept their individuality intact. A combined and well organised Supply Department, in order to face the new situation is now developing and is badly needed, and this is a point which I would like to press and draw the attention of the Government.

[Dr. Sir Ziauddin Ahmad.]

Coming first to the purchase of foodstuffs, in the old days, the demand of the army was very limited and the civil population never troubled itself about the manner the Quarter Master General and his staff purchased ghee and wheat and other articles of food. But now it has become a question of very great importance. Take the case of ghee to begin with. Ghee is purchased by the Army Department through a contractor, and I challenged on the floor of the House before and I challenge again today, that the ghee supplied to the Army Department is adulterated ghee, but at the same time the taxpayers have to pay the price of pure ghee. The result of the action of the Army Department has been, that the civil population cannot get pure ghee at all in the market. Now, as regards wheat, several reasons were given for the wheat going underground during the last debate. We all know that wheat has gone underground. Why should it be so when we know definitely that the fresh crop is coming very soon? It has gone underground because of the fact that the army contractors employed by the Directorate of Supply will have to purchase wheat at any price, and that is why the wheat has gone underground. Otherwise, there would have been no reason for sending it underground, especially when the new harvest is about to commence. This fact should be taken into consideration. When we have to make full use of every possible resource in the country we have to organise the supply and consumption of foodstuff as well. I take only one example because I have not got time within fifteen minutes to deal with every article. Take wheat. It is the duty of the Supply Department, in the production side working in co-ordination of the Department of Agriculture, to take stock of the quantity of wheat, and regulate its cultivation. They should know how much they require for army purposes, and then leave the rest for the use of the civil population. The amount of wheat required for the army ought not to be purchased through the contractors, but through the Local Governments and the District Magistrates, and I am sure they will get better terms and will be able to stock for the Government. No wheat will go underground and the requirements of both the army and the civilian population will be fully met.

We have really to tackle each commodity, plan out the whole thing and distribute the article in the most economic manner, in order to meet, in the first place, the requirements of the army, and in the second place, those of the civilian population. But this has not been done, and they still follow the old system of having contractors and so on. In this connection I have mentioned this before, and I will go on repeating it till it is remedied, whenever I get a chance of doing so.—that their system of chemical test, the selection of the specimens given to them is very defective. They send the specimen to their laboratory at Kasauli, and everybody knows that will never come out in time unless the backdoor fee on which no income-tax is paid, is paid in advance. I have suggested time after time that you ought to organise about half a dozen laboratories in India and send these specimens to the various laboratories. Do not reveal the name of the laboratory to the contractor, and do not give the name of the contractor to the persons who are testing in the laboratory, and use the same method which they use in the case of the examination of answer books. But no attention is paid to these things and they have not got the experience. They do not know how to organise and it does not pay them to organise. This also is a very important point. It is high time that we should organise every

possible resource in this country, that we should sit down together and study commodities one after another and come to some definite conclusions.

As regards other articles coming within the purview of the Master General of Ordnance, I quite agree that armaments should be the exclusive subject of the Department of the Master General of Ordnance, because the civil population is not competent to give any opinion on armament like rifles, guns, etc. They must have a complete voice there and there is no competition. The Government manufactures all these things under their direct supervision. But when you come to the supply of other articles which are also used by the civil population, the same principle should be adopted in the purchase as in the case of wheat and other foodstuffs. As I said on the last occasion, they do need radical improvement in their system of inspection. I said then that it was not desirable that this important work of inspection should be handed over to persons who are paid on a daily rate of Rs. 2 or 3 per day. These people have to deal with articles costing lakhs and lakhs of rupees and you cannot expect a person who is appointed casually on Rs. 2 a day to do his duty properly. Another thing which is also undesirable is that you have military officers, appointed on merit and appointed in courtesy—those to whom the rank has been given because they are engaged in work connected with the war. Most of us are engaged in work connected with the war and why should we not all get military ranks as people in the Supply Department do? (Interruption). We ought to have a better system of inspection, inspection by proper, qualified and honest persons, and there should be a provision that the contractor should have a right of appeal against the decision of the Inspectors, the appeal should be heard by a panel of a tribunal. That tribunal may consist, in small cases, of a single officer, and in big cases, of three persons one of whom may be a contractor. That is a matter of detail, but the important point is that the Inspector's decision should not be final. There should be an authority to whom an appeal can be made, and if the Inspectors know that an appeal can be made against their decision and their services may be dispensed with, they may be more careful in their work. I hope the Honourable Member in charge of Supply will look into this matter, because we regard him as a great businessman, an experienced politician, and a debater in this House and at one time the orator of the Assembly. I hope he will organise the Department in such a way that there will be an amalgamated department and not three departments working with or without co-operation. Boldly face the leakage and corruption and remedy them. I pointed out specific cases of leakage. When you have so many masters working in one Department it is impossible for you to work in unison together, and to work efficiently.

The other day it was suggested that you should undertake the work of production. This will necessitate fullest co-operation with other Departments. When you want to have increased production not only in foodstuffs but all round you will have to examine and plan out the most economic use of all our resources. You will have to study the problem and find out what articles can be produced in a particular district. You take note of this fact whether a particular town can produce metal work by cottage industry, whether it can produce leather work, and so on, because we know by experience that every town in India is really famous for certain industries based often on the vicinity of raw material. We know very well that in the long run we will not be able to get machinery. The power of production by machinery is now limited and we will have to fall back

[Dr. Sir Ziauddin Ahmad.]

upon the cottage industry which could work with the tools made in this country and that in the long run will save the situation in India and the time has come now when as Mr. Deshmukh pointed out we should encourage every possible industry in the towns and villages and everywhere, so that we may get the best results from the resources which we possess. I would like the Honourable Member to tell us on the floor of the House what arrangements he had made for the supply of wheat in the year 1942-43. I want him to tell us on the floor of the House what will be his requirements for the army. Let him tell us from the estimates that he gets from the Agricultural Department how much wheat will be produced in this country. Then we can sit down together with the help of the Commerce Department and Dr. Gregory, the great economist, and plan out the entire consumption. I told the story of Hakim Nabbu the other day. I say that they must realise that we are in the middle of a national crisis, a question of life and death, not for any one community but for the whole of India. We should sit down together and stop all these rubbishy things and work with one object how to win the war. With these words I support the Resolution.

Babu Baijnath Bajoria: When I interrupted my friend, Mr. Deshmukh, he had this idea that I was against the cottage industries. That was far from my intention. Rather he had gone out of the way and was speaking on subjects which had got nothing to do with the cottage industries and the Supply Department and I wanted to remind him that he should speak about these things and I was glad that my interruption put him right.

Sir, I am in full sympathy with the second part of the Resolution, "that the Assembly recommends to the Governor General in Council to take immediate steps to devise method for taking full advantage of cottage industries in the scheme of production." I am unable to understand fully the first part of the Resolution. It is very vague. It says—to reform the general organisation of the Supply Department, particularly its Inspectorate. It is too vague and I do not understand from the remarks of Mr. Deshmukh or Dr. Sir Ziauddin Ahmad what they really mean about this general reorganisation of this vast Department and I think no case has been made out for that. As regards the cottage industries I would like that these industries should be further patronised by the Supply Department but, at the same time, I may inform my friend, Mr. Deshmukh, that the cottage industries are already playing a very very important part in the supply of goods to the Supply Department. I think when the Supply Member, Sir Homi Mody, speaks, he will bear me out. Numerous articles, too numerous to be enumerated here, are being manufactured in the cottage industries throughout the country and every skilled artisan, be he a carpenter or blacksmith, weaver or wood worker, has been busily engaged in this work at the present moment. I would say that but for the Supply Department the lot of these men would be very miserable in these hard times.

Sir, I do not want to discuss the merits of small industries *versus* the big industries. As a matter of fact at the present moment both the big industries and small and cottage industries are all busily engaged in war production and each one of them is doing its share in the war effort to the utmost of its power. As regards the heavy industries, the textiles, which

is one of the big purchases of the Supply Department, we all know that it is through the efforts of the present Supply Member that the Indian mills of Bombay have agreed to reserve a very considerable share of their production for the Supply Department at prices which are much lower than the current ruling prices in the market. The same thing also applies to the jute mills in Calcutta and the Tata Iron and Steel industries. They are supplying steel to the Government at prices which are not even half or one third of the current local prices in the market. The Directors of Industries are also collecting orders from the Supply Department and giving these orders to the smaller firms in many of the cities and villages even. I can mention a few of them like hats, camouflage nets, ropes, wood work of many kinds and so on. It is not a fact that at the present moment the cottage industries are suffering for want of work. Even if Mr. Deshmukh starts a cottage industry for the supply of any article, I am sure Sir Homi Mody will place an order with him straight off. At the present moment when the export markets are all restricted, the production of the mills and the cottage industries is being absorbed mostly by the Supply Department. It is not the Government alone that is benefiting. The industries also are benefiting. It is a case of mutual benefit. The labourers and the employers are all great benefited by this department at the present moment. What I am afraid of is this. My difficulties will come when the post war reconstruction comes in.

Dr. Sir Ziauddin said that the war will go on for three years more. I hope not. We are fed up with this war and the sooner it is over it is better and we will be relieved of our anxiety. When the post war reconstruction comes, there will be a great slump, both in the cottage industries and the mill industries. Then, it will be the cottage industries which are weaker which will suffer the most. I would request the Supply Member to see that these are the very cottage industries which have rendered such yeomen service during this critical time of war. When they could not have got their requirements from big industries, these cottage industries supplied them. So, these cottage industries should not be ruined when imports come in or when their demands fall off. They should see that these cottage industries live even during the time of peace as they are living in this time of war.

There is one point to which I would like to draw the attention of the Supply Member. It is about the machinery and the machine tools about which my friend, Dr. Sir Ziauddin Ahmed, has spoken. We all know that the supply of this machinery and machine tools from abroad has practically stopped. (Interruption). I have already said, I think, far too much for the cottage industries, more than even my friend, the Mover of the Resolution, has said. I want to serve and protect both the heavy and the cottage industries. There is plenty of scope in this vast land of ours for both these kinds of industries.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): He wants to protect the cottage industries as well as the agricultural industry.

Babu Baijnath Bajoria: I am in agreement with him there. But I would like to add big industries as well. As I was saying, machineries and machine tools are no longer imported from abroad. The production of machinery has been started here but these industries require lot of

[Babu Baijnath Bajoria.]

further assistance from the Government both by way of technical experts and subsidy in order to accelerate the production of machinery.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Can they be organised as cottage industries?

Babu Baijnath Bajoria: I am now on big industries. I must make myself perfectly clear that so far as the manufacture of machinery is concerned, it cannot be on a cottage industry scale. Machinery has to be made on a big scale. At the present moment, I think, capital is not shy and industrialists will come forward and are coming forward, and Government must see that the machinery and the heavy industries are also developed further and are duly protected in the post-war reconstruction.

As regards wheat, we all know the difficult times through which we are passing. So far as we are concerned, what we want the Supply Department and the other Departments of the Government to know is that we are not getting wheat to eat. If the Supply Department or any other Department of the Government can give wheat in plenty to us in Bengal and in other provinces, we will be grateful to them. Sir, I do not want to say anything more except this that I support the second part of the Resolution, but I am not very sure about the first part.

Pandit Nilakantha Das: Sir, I had no mind to speak on this Resolution though it is a very good Resolution and is expected to be fully supported by everyone in the House even including the Member for Supplies. There has been however, some misunderstanding, particularly after the speech of my friend, Mr. Bajoria. I did not really follow him when he said that everywhere all sorts of cottage industries are being given the necessary impetus by the War Supply Department. I really could not follow what he meant by that. Are the productions of our weavers purchased everywhere in any organised scale? Of course, in this Resolution there is nothing to speak for big industries. That does not perhaps come within the purview of this Resolution. It speaks only of cottage industries which should be organised by the Supply Department. During the last budget discussions, I made a point to the effect that the Supply Department should have some sort of co-ordination with the Commerce Department, whose duty it is to see to the development of various industries. That development ought to include the development of cottage and small industries. That is being neglected and, in effect, as was pointed out by my friend, Mr. Deshmukh, a great difference among the consuming people and the purchasing people is being created in this country. I instanced the case of Orissa which is practically an out-and-out consuming province. During the last year and more, the Supply Department has purchased articles worth Rs. 250 crores and you will be surprised to learn that Orissa has sold articles worth Rs. 2,18,000. Can you imagine that?

Now, I do not think so much about the reconstruction after the war. My vision is not so long. I think of the present. To the coastal region of Orissa, Madras and Bengal, practically 90 per cent. of the evacuees are coming back. One and all of them are penniless. They have no employment. Over and above that, you are purchasing articles either from Jamshedpur or Cawnpore or Bombay. I should think it should be the

duty of the Supply Member to have a map of India before him. He should see whether the supply is being distributed throughout India so that money goes to the pockets of all people as far as it is practicable, otherwise in industrial centres where you purchase your supplies the prices will go up like anything. Our prices of commodities are regulated after those prevailing in industrial centres like Jamshedpur or Bombay or Cawnpore. What should the poor weaver in the village do to purchase his necessaries? The same remark applies to the agriculturist. Of course, he will sell his rice and wheat for a little more price than he usually gets, but that does not matter. He cannot supply all his requirements. There may be a famine which by the organisation of the Supply Department or rather its disorganisation, as my Honourable friend has already said, you are creating. You are creating famine conditions in the country which you should at once try to avoid and to remedy. It is already perhaps prevailing in many parts of the consuming area in the country. For this reason alone, you should develop the cottage industries for agricultural India is a land of cottage industries and not of big industries.

Neither we nor our masters have been able to make India into a land of big industries like England where if the prices look up in Lancashire, the same thing is reflected everywhere else in the island in two months. If the labourers get more wages in some factories, the same thing is reflected in other branches also. India is not like that. Even for the small adjustment from one shilling four pence basis to one shilling six pence basis, it took some years. If you starve out consuming areas and if the Supply Department does not make use of cottage industries in an organised way, then you will simply create famine conditions in areas where there are not big industries. They must sell something. In every village in India you must see that the artisan gets his due share. Perhaps my Honourable friend, Babu Baijnath Bajoria, saw a couple of carpenters working at some almira's in some lane near his house in Calcutta and from that he concluded that our poor artisans throughout the country are executing orders for the Supply Department. In the villages, they are simply starving for want of orders. They do not get any wages.

Babu Baijnath Bajoria: My vision is broader than yours.

Pandit Nilakantha Das: I am very glad that even businessmen these days seem to have broader vision than smaller people like us. I do not grudge them that. But in this particular case I do not follow him because according to him where each and every artisan is now engaged in making articles for war supply, I fail to appreciate the truth of it. I represent the rural villages. I live in rural areas, I tour throughout the province of Orissa often, and recently I had occasion to move about in many districts. I find everywhere famine conditions. I do not know how to give food to the poor villagers. The famine conditions will continue longer. There is no effort on the part of the Supply Department to provide a village industry for these poor fellows. If you are not organising the villages, then you cannot say that you are doing anything for cottage industries. In the second part of the Resolution it is distinctly said that there should be some organisation to take full advantage of cottage industries in the scheme of production. This should be done as soon as possible, not only for the future reconstruction of the country which is perhaps far

[Pandit Nilakantha Das.]

away, we do not know how, and when it will be done or who will do it. Let us look to the present. The people from Malaya are now coming and settling in the coastal regions. People are starving for want of food. So, this ought to be done and must be done as soon as possible. Sir, I support the Resolution.

The Honourable Sir Homi Mody (Supply Member): Mr. Deputy President, if the object of the Honourable the Mover of the Resolution is to draw the pointed attention of Government to the needs of cottage industries and to evoke support for them, I have every sympathy with that object. When the Supply Department first started functioning, it used to work upon definite orders and in those circumstances, it was not possible to do any sort of planning. A little later, the principle of forward programmes was accepted and at that stage, the Department started organising the industrial production of this country and started loading up industries with orders. At that stage, it became obvious that the needs of cottage industries had also to be considered, not only in their own interests, but also as a matter of policy. Production had to be spread out and dispersed so as to make it possible for the country to have industry both in the factories and in the villages catering to the needs of the Supply Department.

Now, Sir, before my Honourable friends come to the conclusion that little or nothing has been done in the way of support to cottage industries, I would like to invite the attention of the House to a few figures. It will surprise the Honourable the Mover of the Resolution and those who supported him to know that during 1941-42, orders to the tune of five crores of rupees were placed upon cottage industries. Of course, there are in this list very big items, but there are also a number of smaller items which I think I should enumerate. For instance, in the matter of leather goods, chappals were purchased to the extent of 12 lakhs of rupees, sandals 17 lakhs of rupees, leather jerkins 18 lakhs and so on. In the haberdashery trade, buttons were made to the extent of well over ten lakhs, camp equipment ten lakhs, cutlery 5½ lakhs and stretchers, five lakhs. At any rate, this much is obvious that when orders amounting to five crores of rupees are placed upon cottage industries, they must be giving a very considerable amount of employment to a very large number of people. The orders which we hope to place in the current year are expected, so far as we can calculate today, to go up to eight crores.

Now, Sir, it is rather curious that none of my Honourable friends referred to a very important conference which was held at Delhi only a few days ago, as recently as March 28. At that conference were gathered Directors of Industries from the various Provinces and representatives of many of the major States with a view to trying and finding out how best cottage industries could be stimulated and how their products can be brought within the scope of activities of the Supply Department. A note was sent out to all these people before they came here and a list of articles which could be manufactured by cottage industries were supplied both under the range of machine and of ordinary stores. An idea of the organisation required was also conveyed to those who were going to confer at this meeting. As a result of this conference it has been decided that agencies will be set up in each province. The Directors of Industries or

the Registrars of Co-operative Societies will form such agencies. They will work in concert with the Controllers of Supplies in the various Provinces, and will not only deal with the orders which are placed by the Controllers of Supplies but will also see to it that materials are supplied to the small producer and regular inspection made from time to time of articles in the various stages of manufacture. It is the hope of my Department that when this agency gets going, a more thorough going utilisation of the products of the smaller industries will come about. Working capital will be provided by the Provincial Governments, and altogether, I may say that if there is any capacity available, it will be the fault of those who are in charge of that particular area if it is not fully exploited. We are not going to deal with registered contractors; we will see to it that as far as possible they are cut out and that orders be placed with those who have so far not handled any from the Supply Department. That being the position, I am sure that it will be the opinion of the Honourable the Mover of the Resolution and those who have supported him that everything possible is being done to support village industries. If more is not done, it certainly is not the fault of the Department, who have done everything possible to stimulate production and who are now setting up an agency by which more production would be forthcoming. Therefore, so far as that part of the Resolution is concerned,—and it was on that part that most Honourable Members who spoke have concentrated,—I do not think that it is necessary to stimulate the interest of the Supply Department. But there were various other points made in the course of the debate. My Honourable friend, Mr. Deshmukh, gave a few examples of things that can be done by cottage industries. His very first example was somewhat unfortunate,—he talked of rifles. I do not know if my Honourable friend who comes from the martial races will himself want to handle a rifle which was made by a cottage industry.

Mr. Govind V. Deshmukh: He has.

The Honourable Sir Homi Mody: Then he must thank Providence that he is still here!

My Honourable friend, Sir Ziauddin, is not in his seat now, and I am tempted to leave all his observations alone and deal with them on some future occasion: but I think I must refer to one or two of them. He talked of the Inspectorate which is his special *bete noir*. As has been explained on a previous occasion, the Inspectorate is not under the control of the Supply Department. It works under the defence authorities, and that for very obvious reasons. After all the inspection of an article must be done by the purchaser. The Supply Department could not possibly take the responsibility for an article once it passes out of its hands; if it had been otherwise I would ask Honourable Members to visualise the consequences. Complaints would come in from a hundred and one directions about particular articles not having been up to the mark. It would have been quite impossible for the Supply Department to verify or to disprove any of these complaints, and the most obvious thing to do was to ask the defence authorities who are our customers to test the articles as and when they pass out of our hands. Therefore whatever the sins of omission or commission of the Inspectorate may be,—and I am not prepared to say

[Sir Homi Mody.]

anything on that point; it is a matter for the Honourable Members to make up their minds about,—at any rate my Department is not responsible for them.

My Honourable friend talked of wheat and ghee, but I do not quite know what points he was making. It certainly is not the business of my Department to regulate the distribution of wheat between the army authorities and the civilian population or to see to the growing of wheat; and as for the adulteration of ghee, not having sampled any ghee myself which is supplied to the Army Department I am not in a position to say anything. My Honourable friend, Mr. Bajoria, gave a 'chit' to my Department for which I am grateful. We are here to do all that we possibly can not merely in the direction of the war effort but also to see that Indian industry and cottage industries derive the fullest possible benefit from the operations of the Department. Mr. Bajoria talked of the machine tools industry. I have previously explained that we have now got a scheme by which we are going to assist five reputed manufacturers to obtain balancing plants from the United Kingdom at a cost of a few lakhs of rupees. The balancing plants will enable these manufacturers to turn out such machine tools as are not manufactured in this country readily.

Babu Baijnath Bajoria: Are these firms European or Indian?

The Honourable Sir Homi Mody: I think with one exception they are all Indians. With regard to my friend's complaint that there is not enough wheat and that I should do something in order to see that he got enough to eat, I do not know what his capacity for consumption is and I am not, therefore, in a position to undertake such an onerous responsibility! He looks rather a formidable consumer and I do not think I can undertake to satisfy him!

My Honourable friend, Pandit Nilakantha Das, spoke of the very poor share of Orissa in the spoils which flow from the Supply Department, but that I think is hardly the fault of the Department. As I have explained to him on more than one occasion, it is up to him and to his friends in Orissa to see that Orissa's capacity is fully exploited. If I mistake not, the Director of Industries in Orissa is a member of the committee which is attached to the Department at Calcutta. If the Director of Industries in Orissa does not know what is good for Orissa I do not know who can supply that information. My suggestion to my Honourable friend is that he should speak to the Director and impress upon him the necessity of bringing the case of the province which he represents to the notice of the department. If and when that is done, I have no doubt that Orissa will get the full share to which she is entitled.

Sir, by and large, I do not think that there is any case for passing this Resolution. I have expressed my fullest sympathy with the object of it so far as it relates to the stimulation of cottage industries; it is not merely lip sympathy but it has been tangibly expressed in a very substantial manner in the past and will continue to be expressed in the future. In these circumstances, Sir, I hope my Honourable friend will see fit to withdraw the Resolution.

Mr. Govind V. Deshmukh: Sir, I do not know how to make a presentation of facts by mixing a little colour and having a little fringe to make it a little attractive, as my Honourable friend, Mr. Bajoria, has done, and for which the Supply Member has thanked him. Now, let me refer to a statement and see how it sounds, a statement like this: all sorts of things in all forms are made by all people. Is it very definite or specific? And yet, this was the statement made by Mr. Bajoria who did not find anything specific in the first part of the Resolution. Nothing could be more vague than the statement which he has made. I will not deal with that; I present it to him when he wants to challenge the wording of a Resolution of any other person. Now, Sir, he wanted to be very relevant and specific and to the point; and yet, though the Resolution does not refer to heavy industries at all and I said nothing about them, he started talking about heavy industries and nothing about cottage industries, to show his sympathies.

Pandit Nilakantha Das complained that in his village carpenters were starving though in Calcutta they may be finding work as Mr. Bajoria said. He, *i.e.*, Mr. Bajoria said his vision is long. Well, Sir, there are people with long visions and also with narrow visions. There are persons who can see things only at a long distance and those who can see things near them. It is better to see the things burning under your feet instead of at things looking charming from a distance. Persons who cannot do that bring out their own ruin. Pandit Nilakantha Das said that in his village, which is an illustration of other villages, things are really very bad, that cottage industries and the poor workers there are not being helped. What is the good of a person staying in a building of Chamber of Commerce or in a very big place saying that everybody is happy because he is happy.

Now, Sir, I come to some of the arguments given by the Honourable Member. I say, to start with, that things are manufactured, but, as I said before, much more should be done. I did not say that nothing was being done or that nothing could be done. I said something was being done but there was much that could be done, and I pointed out some instances. The Honourable the Supply Member found fault with us for not referring to a Conference on the 23rd March, 1942, and he has given us what the organization is, namely, there are Directors of Industries, Registrars of Co-operative Societies, Controllers of Supplies, etc., etc. Well, that sounds very well on paper, but those who know facts, and mix with the people know really that these things do not work. Now, let me tell you an instance of a Director of Industries. I was once a member of my Provincial Council. As I take a lot of interest in agriculturists and cottage industries, I used to make a lot of complaints to the Director of Industries about the plight of agriculturists and the weavers. So, once he wrote to me:

"My dear Deshmukh,

You know these people are ignorant; they are illiterate. They create unnecessary fuss. But if you would like to come, I will held an enquiry."

I wrote back to him and said that I was willing to help and work. In fact I have always moved among the masses and when I put a question on the floor of the House I do it with an up to date knowledge of the conditions which are prevalent in the villages. I said I was prepared to go with him. The Director of Industries was a nice man. He drove me to a place where there was another gentleman present who was a textile

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expert. He introduced me to the expert. We started talking, and the I. C. S. gentleman started smoking. That was all that he did. I went to Momins and weavers in Nagpur and Kamptee and to many other places along with this expert gentleman. But the fact is that the Director of Industries left me to the expert and did nothing himself. He must have smoked two or three packets of cigarettes. Now, what is the good of saying that I have got a Director of Industries. I put questions to the Honourable Member about the purchase of articles that could be produced locally and the reply was 'blankets'. Do you think that there is nothing else that could be produced? As a matter of fact I do not find fault with the Supply Member but with the organization. If the Government will not take these people to task, what is to be done. I remember very well as a member of the Standing Finance Committee—may be I may have been obnoxious to certain gentlemen on the Finance Committee—I found out when I was a member, that the Central Government contributes to the provinces as much money as the province itself spends on industrial development. Well, I have found that my province had not got anything.

An Honourable Member: Why?

Mr. Govind V. Deshmukh: You say why. Because my province has not spent anything on industrial development.

Babu Baijnath Bajoria: That shows the interest which your province takes in industrial development.

Mr. Govind V. Deshmukh: My reply is to those persons who point out to the provincial organization and the Provincial Government. I tell them this organization does not work. What is the use of pointing out to that organization when I can tell you it is useless. It may be that this province is unfortunate, but it may be the case in other provinces too who are not speaking here. The same story is repeated everywhere. You are in a happy position in Bengal, but I am telling you my experience that this organization which has been referred to does not work well in my province, of which I have got a better experience. I have already mentioned regarding the Director of Industries, and the reply which I received from the Honourable Member in respect of articles purchased, namely, 'blankets'. It is the same thing about the Registrar of Co-operative Societies. I cannot say so about the Controller of Supplies; I have no experience of his working. I do not know what sort of check this Controller of Supplies will bring on the whole organization or what sort of spirit he would be able to infuse in the Director of Industries or the Registrar of Co-operative Societies so that the organization as a whole will be such as to stimulate the effort to promote all cottage industries.

Regarding Inspectorate, I have been told that the inspection is done by Defence authorities. But certainly things could be managed in such a way—if only the men at the top would go into the matter minutely—that the system of inspection would be worked in such a manner that it would not be a source of discouragement to producers in this country, but would encourage those who are working in the cottage industries.

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

I entertain greater hopes, the fulfilment of which would, of course, rest with the Honourable the Supply Member.

Now, Sir, referring to the agency to be set up in the provinces, to which the Honourable the Supply Member has alluded, the Provincial Government supplies the capital.

The Honourable Sir H. P. Mody: (Working capital.

Mr. Govind V. Deshmukh: I have told, Sir, what is the condition in my province and in other provinces where there is a deficit budget.

The Honourable Sir H. P. Mody: They have not raised any objection.

Mr. Govind V. Deshmukh: May be, but I have told you the fact, and I have also told you what happened at the Standing Finance Committee,—namely that my province did not spend any money on industrial development and they got no money from the Central Government. Well, Sir, if the thing does not work, don't say that as these units of villages did not contribute their share which you had fixed for the cottage industries, the blame lies not with you but with us who live in that particular unit. The blame is primarily with this Government and the Provincial Government—the Central Government ought to take the Provincial Governments to task, especially where these Governments are not popular Governments.

Sir, I had entertained great hopes. My Honourable friend has appealed to me that after the explanation that he has given, I might very well withdraw the motion. I am, of course, thankful for the little mercy he has shown—spending of two crores of rupees. I do not know how it was spread out.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Commerce Member): It is five crores, not two crores.

Mr. Govind V. Deshmukh: Five crores is for the future; at present it is only two crores.

The Honourable Mr. M. S. Ansy: No. Five crores for this year and eight crores for the next year.

Mr. Govind V. Deshmukh: I do not know how it was spread out. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more to complete his speech.

Mr. Govind V. Deshmukh: Sir, I will finish very soon. Well, Sir, how can you expect these people, in so many villages, to make both ends meet or have a satisfactory financial condition? If you show a little mercy, the workers of cottage industries will be very thankful to you. The villagers will bless you and they and you also will be benefited. With these few words, and with the assurance given that hereafter more promising help will be forthcoming, I beg leave of the House to withdraw my Resolution.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member might have done that without a long speech. Has
 4 P.M. the Honourable Member leave of the House to withdraw his Resolution?

Several Honourable Members: Yes, yes.

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

RESOLUTION RE APPOINTMENT OF A COMMITTEE ON THE KAMARAN QUARANTINE STATION.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan):
 Sir, I move:

"That this Assembly recommends to the Governor General in Council to appoint a Committee consisting of Official and Non-official Members to inquire into the affairs of Kamaran Quarantine with special reference to the administration of the present Director there."

Sir, Kamaran is a small island in the Red Sea where formerly Indian Hajis used to be detained on the ground of health, but nowadays only ships carrying Hajis visit that island, and practically Hajis have not to embark there. Yet the Hajis have to pay a fee of Rs. 3 per head, and here I speak particularly of Indian Hajis. I find from the budget that an income of about one lakh fifty one thousand rupees is derived from the fees raised from the Hajis, and not only is all this amount spent, but something more, is spent, and I find that about one lakh and seventy two thousand rupees has been provided in the budget for 1942. I cannot see why, when the utility of the Kamaran island as a quarantine station has disappeared, fees should be charged to the Indian Hajis. They are given practically no medical help or anything of the kind, and from the amount shown in the budget for medical help rendered to them, we find that only Rs. 600 has been shown for the purchase of medicine and store. That shows that no sanitary or medical help is given to these pilgrims from whom Rs. 3 per head is charged, and which amount comes to about one lakh and fifty one thousand rupees a year. Besides that, Sir, it is an irony of fate that for the administration of such a religious affair, a non-Muslim is placed in charge, and what is more to be regretted is that up till now non-Muslim members have been in charge of the Cabinet to administer this particular Department. Now, I ask, will it look nice and proper if a Muslim officer were appointed to look after the ecclesiastical affairs of Europeans in India? I do not think it will be tolerated by the Government. However, for some time a Muslim officer was appointed there, but the Agent felt that he had to provide for his friend. Thus, after some correspondence, the Muslim officer was turned out from the post of administrator and a friend of the Agent was appointed, and this gentleman so misbehaved that not only that particular officer who assumed charge as medical officer had to resign, but after his resignation, about half a dozen medical officers successively resigned on account of the undue interference of the friend of the Agent who was made the administrator of Kamaran. On his retirement another two years elapsed, and during that period the same Muslim officer had to officiate again. Then the Agent thought of another plan. He wrote to the Government of India and suggested that it was advisable

to amalgamate the two posts of administrator and also of the Director, and on that strength the Government of India amalgamated the two posts. Since then a European gentleman was favoured with that amalgamated post of administrator. Now, in the Budget provision has been made for a thousand rupees to be spent on audit charges, but up to now I have not seen the Audit Report, although I have been a member of the Public Accounts Committee for the last three years. There is a lot of complaint about administration there. A Lady Doctor was appointed. She had to resign, and when she was compelled by her husband to continue her service there, she preferred to wish good-bye to her husband to working under that administrator, the European gentleman. You may draw your own inference and you can imagine to what extent this gentleman must have misbehaved. Instead of helping the poor pilgrims, they are doing such rubbish things there. So it is high time that the administration, so far as it concerns the welfare of the Hajis, should be inquired into.

I do not like to take much time of the House in going through the details of the expenditure there. All are unnecessary, a very top-heavy administration is maintained there, so much so that for a temporary arrangement the old Director is being paid a pension of Rs. 2,000 a year. Besides, the Director is being paid Rs. 10,000 a year as subsidy, and something about Rs. 12,480 as his salary. I find there is a compounder who is called also Laboratory Assistant, who is being paid Rs. 150 a month. Laboratory assistant—I fail to understand what kind of work he does. Perhaps some medicine is also manufactured there—that is what it should mean, but that is not a fact. Here in India compounders are being paid Rs. 28 to Rs. 30 a month, but there the same compounder is being paid Rs. 150 a month. All these things are being exacted from the poor Hajis who want to have their pilgrimage to Mecca, and they are being wasted. I think the Government will lose nothing in coming to the right conclusion by appointing a committee of officials and non-officials to enquire into the affairs there. Recently the Government were kind enough to appoint a special officer to enquire into the Haj affairs, but unfortunately, that officer was perhaps forbidden to go to Kamaran to make enquiries and to report thereon. His report does not show that he made any enquiries, but the terms of reference to him show that he had a right to go there and examine the things for himself. I cannot say what has stood in his way which prevented him from going there and collecting information. In that case the necessity of appointing a committee would have been obviated. I therefore think that it is but proper that the affairs of Kamaran should be investigated and the grievances and mismanagement there should be put an end to, and the sooner it is done the better for all concerned. With these few words I commend the Resolution. Sir, I move:

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

“That this Assembly recommends to the Governor General in Council to appoint a committee consisting of official and non-official members to enquire into the affairs of the Kamaran Quarantine Station with special reference to the administration of the present Director there.”

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): I give my full support to the Resolution just moved by my Honourable friend, Maulvi Abdul Ghani. There is a fundamental truth at which the

[Maulana Zafar Ali Khan.]

British Government and the Indian Government have not tried to reach. Nobody seems to know what the constituent elements of Muslim nationalism are. The Muslim nation comprises five fundamental principles,—unity of God, prayers five times a day, alms 2½ per cent., fasting 30 days in a year, pilgrimage once in a lifetime. This constitutes Islam and Muslim Nationalism. The Government of India and the Government of Great Britain are always anxious to express their solicitude for the moral, mental and spiritual welfare of Muslims of India. The pilgrimage, therefore, which is the fifth fundamental necessity of Islamic life ought to be looked after and presided over, with all that it constitutes and all that it implies, by a gentleman who knows what Islam is, who knows how the pilgrimage is performed, who has the right of entering the Hejaz and going into the precincts of Kaaba and unless he has that capacity, that right and that privilege, he cannot understand what pilgrimage is. My Honourable friend, Mr. Aney, for whom I have the greatest regard and respect for his qualities of head and heart, does not know what life in Mecca is, what the pilgrimage is. If I were required to go to Hardwar and know something about its secrets, I would be making a fool of myself. Similarly, the Honourable Mr. Aney does not know what the Hejaz is, what the pilgrimage is, how the ceremonies are being performed there.

Mr. President (The Honourable Sir Abdur Rahim): All that is not in question in the Resolution. The Honourable Member should confine himself to the terms of the Resolution—about Kamaran Quarantine.

Maulana Zafar Ali Khan: The Resolution is concerned with the Hejaz.

Mr. President (The Honourable Sir Abdur Rahim): It has a remote connection, but the Honourable Member must confine himself to the question of Kamaran.

Maulana Zafar Ali Khan: Then I say that the Kamaran Quarantine camp should go. If I were to be consulted on the subject, I would say, that Kamaran should be ceded to Sultan Ibn-i-Saud, who is its rightful custodian. If the Government are prepared to discharge their duty towards the Muslims of India, they should see, in the first place, that the administration of Kamaran is proper and efficient. But its inefficiency is being proclaimed from the housestops. Lakhs and lakhs of rupees are being taken from the poor pilgrims who go to the sacred land of Hejaz to perform this sacred mission of their life. But that money is not accounted for at all. We are in the dark as to how it is being spent. The Honourable the Mover has pointed out that the Kamaran Quarantine camp has failed, that it does not do anything, does not provide any medical assistance to the pilgrims. Why are you keeping it up then? So, in the interests of efficiency and in the interest of the poor pilgrims it is time that a committee of efficient, sincere and sympathetic gentlemen were appointed to look into the affairs of Kamaran and see how it is maladministered, and mis-managed. If the Mussalman of India are to be satisfied, something should be done in this connection. I hope that the Honourable Member in charge will sympathetically consider it and the whole Government whose responsibility is, I think, joint will give it their sympathetic consideration. With these few words I resume my seat.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab : Muhammadan): Sir, I rise to support the Resolution.

The House is familiar with the name of Kamaran Island which has so often been referred to in this House in connection with the Pilgrimage to the Holy Land of the Hejaz. Sir, it is a small island with a population of about three thousand or four thousand people. It gained its importance on account of its being the Quarantine Station for Pilgrim-Ships from India and the East Indies. It was originally administered by the Bombay Government through the Aden authorities, but the control was afterwards transferred to the Government of India. In the year 1926, recognising that the treatment of pilgrims travelling to the Hejaz from the south, at Kamaran Quarantine Station is their common concern, the British and the Indian Governments on the one part and the Netherlands Government for the Netherlands and Netherlands East Indies on the other agreed to establish provisions for administration of the Kamaran Island, and a regular agreement was entered into by the parties and it was agreed that a fee of Rs. 10 should be levied on each pilgrim going to the Hejaz in a pilgrim ship required to call at Kamaran, to finance the Kamaran Quarantine station fund.

Sir, in this connection, I would read the relevant portions of the agreement for the information of the House. In paragraph 2 it is stated that "the Civil Administrator of the Island of Kamaran appointed by the Government of India shall be the Director of the Quarantine station and in that capacity shall exercise general supervision and control over the whole staff of the station. He shall be assisted by two medical officers. One of them shall be appointed by the Government of India and the other by the Government of the Netherlands East Indies." Then it is stated in Article 7 that "the amount of the dues to be paid to the Quarantine station in respect of each pilgrim carried on a ship required to call at Kamaran shall remain fixed at Rs. 10, until the Government of India and the Netherlands East Indies determine otherwise by agreement." In Article 9 it is stated: "For the purpose of repayment of the advances already made by the British and Indian Governments and of creating a reserve to meet future contingencies provision shall be made for the maintenance in India of a fund to be called "the Kamaran Quarantine Station Fund"; and there is a provision under which a subsidy for the civil administration of the Island of Kamaran has to be given out of this fund. It runs thus: "A sum of Rs. 10,000 shall be paid annually from the revenues of the Quarantine Station to the Government of India towards the maintenance of the civil administration of the Island of Kamaran". From the above quotations, it has been made amply clear by me that the control of the Kamaran Quarantine Station and the civil administration of the Island rests with the Government of India and finances to the administration are met from the Kamaran Quarantine Station Funds, which solely comes from the pockets of the pilgrims to the Hejaz. The wasteful expenditure on the maintenance of the Kamaran Quarantine Station was brought to the notice of the well-known Haj Inquiry Committee in the year 1929 and the Committee in their report exhaustively dealt with this subject in paragraphs 255 to 260 in which they recommended to introduce compulsory immunisation of all the pilgrims going to Mecca by introducing compulsory vaccination and inoculation which was introduced but there was no substantial benefit to the Indian pilgrims.

[Khan Bahadur Shaikh Fazl-i-Haq Piracha.]

Although the Government were kind enough to accept my Resolution to appoint a special Haj Officer, who has very ably written a special Haj Inquiry Report, to inquire into the Haj affairs but I am sorry to note that he has ignored to make even a slight reference to the present administration of the Kamaran Island, which is far from satisfactory in every respect.

An Honourable Member: He was given no opportunity.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Lakhs of rupees are fleeced from the pockets of the Muslim pilgrims and are wasted every year. It is on that account that the present Resolution was required to be brought forward for discussion in this House.

Sir, so far as I understand, the following questions need investigation with reference to the Kamaran Quarantine Station and the civil administration of the Island:

1. Whether it is at all necessary to go on maintaining the Kamaran Quarantine station when the pilgrims are not required to land at the Island at all.
2. How far is it justified that a sum of Rs. 10,000 should be paid every year towards the civil administration of the Island from the pockets of the Hajis.
3. If, for one reason or the other, the Quarantine station is required to be maintained, why should not the expenses be curtailed to the lowest possible limit.
4. When the cost of the quarantine administration of the Island and the quarantine station is borne by the Indian Hajis, why should not the civil administrator and Director of the Kamaran Quarantine Station and his subordinate staff be Indians, particularly Musulmans.
5. To enquire if the expenditure is rightly incurred on the administration of the Quarantine station and the Island and also to inquire into the conduct of the present administrator and Director against whom several complaints have been received.

Sir, I would deal very consisely with each of the above points to justify the moving of the Resolution under discussion. As regards the first point, I would submit that as recommended by the Haj Enquiry Committee, the compulsory vaccination and inoculation of the pilgrims has been adopted by the Government and no pilgrim is allowed to embark a pilgrim ship unless he has immunised himself against the epidemic diseases of cholera and smallpox. I have got in my possession the reports of the civil administrator and Director of the Kamaran Quarantine Station, and on the authority of these reports I can say that since the adoption of the recommendation of the Haj Enquiry Committee, not a single case of any infectious disease was found out which would have necessitated the detention of the pilgrims at the Kamaran Quarantine Station. In the report for the year 1937-38 it was remarked: As no "infected" or "suspected" steamers put in here during the season, all steamers were dealt with according to the measures prescribed for "healthy" ships in Article XX of the Anglo-Dutch Agreement of 1926. All the steamers that called here were granted exemption from landing their pilgrims.

Then, Sir, in another place he states:

"All pilgrims reached Kamaran, duly protected against smallpox and cholera, hence no pilgrim was landed here for disinfection, for the third year in succession. All ships were given free partique within two hours."

Then, Sir, it is stated in another place :

"Since the Great War preventive medicine has greatly advanced. There has been a great improvement in the hygienic conditions of all countries connected with Haj pilgrimage. Similarly, sanitary conditions on board the pilgrim ships are much better now-a-days. All pilgrims vaccinated against smallpox and inoculated against cholera before embarkation, were exempted from landing at Kamaran for disinfection by the International Convention of Paris of 1926. Since 1935-36, pilgrim season, no pilgrim was landed at Kamaran for disinfection, as every pilgrim arrived here duly protected. Hence the Quarantine measures here have become very mild indeed."

Such are the reports that are given in the Report for the year 1938-39 and then again in 1939-40. I need not repeat and read out the reports. I think the one that I have read out is sufficient to satisfy the House on this point. The above reports of the officers themselves support my contention that now the pilgrim ships are not at all required to stay at Kamaran even for a single day. It therefore appears ridiculous to keep such a highly paid staff for doing nothing at the expense of the Hajis most of whom are very poor. I would like to hear from the Government what necessity there is for maintaining the Quarantine station when it is not required at all. Even before compulsory inoculation and vaccination, the Haj Enquiry Committee was of opinion that the stoppage of pilgrim ships at Kamaran was absolutely, meaningless. In this connection, I would read from the report the remarks of the Committee, which are found on page 146. It is stated there :

"But, if the medical examination and disinfection at the port of departure and the records kept by the medical officer on boardship for eight or nine days are not adequate to detect the presence of infection among the pilgrims, it is hard to see how this can be expected to be detected during the halt at Kamaran. The records of the station, as far as we have been able to discover, appear to confirm this view."

Although the Haj Inquiry Committee was of opinion that the compulsory inoculation and vaccination by the pilgrims will very much reduce the staff and consequently the expenditure of the Quarantine station and remarked in their Report on page 151 thus :

"It will therefore be a matter of extreme rarity for the pilgrims on any pilgrim ship to have to be disembarked at Kamaran, and this should render easy a drastic reduction in the staff at present retained there, as well as substantial economies in other directions."

But no reduction has been made in the expenses.

On a perusal of the figures of the Budget estimate for the current year of the Quarantine station, it will be observed that the actual expenditure in the year 1941 was Rs. 1,70,230 and the budgeted amount for this year is Rs. 1,72,045, which probably must be equal to the expenditure when the Inquiry Committee made a recommendation. The Budget shows that besides the civil officers in the Island, there are about 63 others employed in the Quarantine station including the Director and Civil Administrator who draws a salary of Rs. 1,350 per mensem with a Secretary whose salary is Rs. 450 a month. Besides these two officers, there are about twenty others who draw a salary ranging from Rs. 120 to Rs. 600 a month. Other employees in the Quarantine draw various rates of salary, ranging from Rs. 20 to Rs. 80 a month. These figures exclude the medical officer and the staff attached to him appointed by the Netherlands Government. Out of this whole lot very few are Indian Muslims. I would, however, wait to hear the Honourable Member in charge on this point.

[Khan Bahadur Shaikh Fazl-i-Haq Piracha.]

The reports of the Civil Administrator and Director of Kamaran that I have in my possession at this moment show that the Haj season every year lasts for about four and a half months only and for the last several years pilgrims of not a single ship were required to land at the Island for quarantine purposes. It is for the House now to judge how far the Government are justified to charge the poor Hajis for no service done to them, and how far it is necessary to maintain this heavy expenditure on the pockets of the poor Hajis?

As for the second point, that is, the expenditure of the civil administration, I have already read paragraph 12 of the Anglo-Dutch Agreement for the information of the House by which Rs. 10,000 is every year paid to the Civil Administration of the Kamaran Island from the pockets of the Hajis. From what I have said Honourable Members would see for themselves what benefit the Hajis derive from the Civil Administration therein. It is simply unjust that the Hajis should be made to bear the expenditure of the Civil Administration when they have nothing to do with that at all. This expenditure should ordinarily have been incurred by His Majesty's Government under whose possession is the Island.

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

Khan Bahadur Shaikh Fazl-i-Haq Piracha: The system of compulsory inoculation and vaccination was introduced on the clear understanding and recommendation of the Haj Inquiry Committee. That Committee said that this should render easy drastic reduction in the staff at present retained there as well as a substantial economy in other directions. But to our utter disappointment nothing was ever thought of by the Government in this respect. It is a pity that for an unnecessary stoppage of pilgrim ships for only a couple of hours so huge an expenditure should be incurred every year. I would emphatically request the Honourable Member in charge of the Department to patiently and calmly consider over the matter before he stands up to defend the Government and oppose this Resolution. It is for him to see if it is just to tax the poor Hajis to feed a White Elephant and his subordinate staff and to get no work from them at all throughout the year.

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

Khan Bahadur Shaikh Fazl-i-Haq Piracha: With these words, Sir, I support the Resolution.

Maulvi Syed Murtaza Sahib Bahadur (South Madras; Muhammadan): Mr. President, Sir, a reference was made to the Haj Inquiry Committee which was set up by the Government in pursuance of a Resolution of the Legislative Assembly. As I was one of the Members of that Committee, I want to throw some light on it. We were unanimously of opinion that this quarantine business was quite unnecessary and that, therefore, it should be done away with. Formerly, as has been pointed out by the previous speakers, a fee of Rs. 10 was levied on each pilgrim, poor or rich.

Afterwards, it was on the recommendation of the Haj Committee reduced to Rs. 3. Now, I understand that the Government want to raise it again to Rs. 8. If my information is correct, it will be a glaring injustice to those pilgrims who resort to Mecca to perform a duty which is incumbent on them. The Committee went from place to place. They had discussions and they held inquiries. The whole thing was sifted and then this report was drawn up, but I am sorry to observe that many of our recommendations have not been heeded. So far as the Kamaran quarantine is concerned, we were of the opinion and it has all the more been intensified now that it is quite unnecessary and unwarranted and therefore it should be abolished. We also said that this fee of even Rs. 3 is an unjust tax on pilgrims. It has been proved by the previous speakers from facts and figures that a sum of nearly 1,70,000 has to be spent on the up-keep of this quarantine. Here is the report of the Kamaran Administration. It contains only 18 pages and it is for the year 1937-38. Since that time we have had no report regarding the administration of this quarantine. From this you can see how glaring injustice is being meted out to Muslims simply because we are silent Members. We do not ventilate the views of our community even on religious matters.

Sir, at our request the Government was pleased to appoint a Special Officer in the person of Mr. A. Rahim, I.C.S. He took much pains and the report which he has drawn up deals with almost every point. Some speakers said that he has not touched upon the question of Kamaran quarantine. It is because he was not asked to do so. I understand that the Special Officer wanted to proceed to Kamaran to see for himself how things are being managed or mismanaged there. Even we were not allowed to go there by the Government of India. Therefore, we had to take evidence of those who had seen the place and who had undergone the hardships there under the present rules. The rules are called International Rules and that is the reason why the Government has been advancing the argument that they are powerless because these Rules have been framed by so many nations. Now, Sir, we know what is happening to the Netherlands Government. So, our Government should now come forward for the relief of these poor pilgrims. Our case, therefore, is that either the Government should say here and now that they are prepared to do away with this Kamaran quarantine or they should signify their consent to appoint a Committee consisting of officials and non-officials so that they may go deep into the question and come to some decision.

So far as the administration under the present Director is concerned, I do not want to say whether he is a European or an Indian. I am the last man to enter into this wrangle of European or non-Muslim. Even among non-Muslims there are many who sympathise with this because every man has got some regard for the religious sentiments of others. But when there was some hubbub created that this Portfolio should be held by a Muslim only, my opinion was otherwise. Of course, a Muslim is expected to do more justice, he is expected to apply himself more wholeheartedly than a non-Muslim.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot discuss questions like that in dealing with this Resolution.

Maulvi Syed Murtuza Sahib Bahadur: All right, Sir, because that question was touched upon by some Honourable Members, I had to say that. So far as this question is concerned, I am of opinion that the Government may sympathetically handle this Resolution and declare their views on this question so that we may be able to do some good for the poor pilgrims. On a previous occasion, it was pointed out that a majority of pilgrims are poor people. (Interruption): There is a suggestion that the fees should be enhanced from Rs. 3 to Rs. 8. It was reduced from Rs. 10 to Rs. 3; now perhaps it is thought that the Muslim community is rich and they can afford to pay an increased fee of Rs. 8 or even Rs. 80. This is quite unjustified. I hope the Honourable the Leader of the House will throw sufficient light on this question so that we may be free from anxieties and worries regarding the pilgrims. Sir, with these words, I support the Resolution.

The Honourable Mr. M. S. Aney (Member for Indians Overseas): Sir, the Resolution before the House demands that a Committee of the House should be appointed to investigate into the question of the administration of Kamaran quarantine station. The position of Kamaran has been to some extent explained by one of the Honourable Members, my Honourable friend, Khan Bahadur Shaikh Fazl-i-Haq Piracha, himself. At present the civil administrator is no doubt appointed by the Government of India, but he is subordinate to the Governor of Aden. Under the terms of the international treaty between the Government of Netherlands East Indies and the Government of India, the civil administrator is *ex-officio* the Director of quarantine at Kamaran. This Kamaran quarantine has been maintained in accordance with the terms of the International Sanitary Convention, in pursuance of which a treaty was concluded between the Government of Netherlands East Indies and the Government of India, the relevant portions of which have been read out by my Honourable friend, Khan Bahadur Shaikh Fazl-i-Haq Piracha, in the course of his speech. Sir, the position is this. If we are thinking of bringing about any change in the present system, namely, that pilgrim ships proceeding from Indian ports to Hejaz should not, hereafter, call at Kamaran for certain reasons, then that cannot be done unless a change is brought about in the treaty itself. I do not know whether the present will be considered by any one of my Honourable friends as a suitable time for thinking of modifying the terms of the treaty between the Government of Netherlands East Indies and the Government of India. So long as it is required that our ships should call at Kamaran for quarantine purposes, it is necessary that some kind of administration should be maintained in that island. The requirements which we have to fulfill in terms of the treaty are not such that can be taken up for consideration at this time. Nothing can be done without the consent of the Government of Netherlands East Indies in this matter.

Mr. Huseinbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): But Kamaran is not under the Netherlands East Indies Government.

The Honourable Mr. M. S. Aney: I am speaking that the pilgrim ships have to call at Kamaran in pursuance of a convention established under the treaty between these two countries.

Maulana Zafar Ali Khan: Where is internationalism at the present moment?

The Honourable Mr. M. S. Aney: Whether it is or not anywhere, we at least stand for internationalism and I believe that my Honourable friend stands for respecting the treaties arrived at between countries and not for their repudiation, particularly by any unilateral act like this. That is our difficulty.

Now, I would like to turn to other points raised in this debate. It is true that there are considerable difficulties felt by pilgrims who were going in the ships to Hejaz when they are required to call at Kamaran station for quarantine. All these difficulties were carefully considered in the report of the Haj Enquiry Committee to which reference was made. I may say that most of the recommendations which were of some importance were given effect to by the Government of India when they considered that report. One of the most important recommendations which was given effect to was that they adopted the system of inoculating the pilgrims here in India for cholera and vaccinating them before they go to Kamaran for pilgrimage and that enabled the Government to avoid the detention of the ship for a longer time for the sake of medical examination at Kamaran. Much of the difficulties and harassment through which the pilgrims had to go disappeared thereby, a fact which has been admitted by the Hajees also later on.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Then why keep such a heavy staff there?

The Honourable Mr. M. S. Aney: So long as there is contractual obligation that ships should call there, that obligation is to be fulfilled unless for very good reasons you can dispense with it. For example, when there is a religious excuse, we have used that excuse and certain ships were permitted to go without calling at Kamaran. But when there is no such ground, there is no reason why we should not do that.

Mr. Husenbhai Abdullahbai Laljee: Is it not a fact that if a ship takes only eight days to reach, then there is quarantine and if a ship takes 12 days, then it is allowed to continue the voyage? Is there not a convention that a ship shall not reach Kamaran within ten days of leaving a port?

The Honourable Mr. M. S. Aney: My point is this. Whenever it was found that the duration of the voyage was of such a nature that the ship would not reach Hejaz in time to enable the pilgrims to perform religious ceremonies for which they were going, then the Government of India have taken steps and dispensed with the condition of calling at that port. At any rate they have done it in the case of at least certain number of ships in the last two seasons.

Then we come to another point here and that is as regards the expenditure. Now, Sir, this year's budget only follows the lines of the budgets of previous years. It has been brought to our notice that the expenditure is top-heavy and so on. That is a matter on which I can

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promise Honourable Members that the Indian Overseas Department will certainly go into it and see if the present expenditure cannot still be reduced and the burden lightened. It is to be noted,—I think Honourable Members will admit,—that in pursuance of the recommendation made by the Haj Inquiry Committee the original fee that was fixed at Rs. 10 from the pilgrims was reduced to Rs. 3; and my Honourable friend, Mr. Murtuza Saheb, is under the impression that it is going to be again raised to Rs. 8. I can assure him that there is absolutely no foundation for his apprehension. Government have not thought of raising the fee at all and it will not be raised; whether it can be reduced will depend upon further examination of the question of the expenditure to be incurred for the administration of Kamaran. If it is found that the expenditure could still be reduced the corollary is that the question of the reduction of the fee to be recovered from the pilgrims can also be correspondingly examined and considered along with it.

Then, after that, certain charges have been made with regard to the administration of a particular officer. My Honourable friend, Maulvi Abdul Ghani, referred to certain matters which were probably before the joint administration at Kamaran began. I do not think it is any use now to go into old history to find out how far those allegations are borne out by actual facts. As regards certain charges which have been made against the present civil administrator, Mr. Thomas, I can say this much that immediately we got complaints here we sent them to the Governor of Aden for investigation. We have got certain replies from them and it appears that some kind of inquiry was made by the Governor. I do not say I am satisfied with what has been done, but the present position is that some inquiry is made. Mr. Thomas has denied certain charges and as regards others he has given certain explanations; and the matter is still under correspondence and consideration. As the matter is under investigation I do not think I shall be justified in assuming that the charges should be taken as proved against the officer.

Khan Bahadur Shaikh Fazi-i-Haq Piracha: Will he (Mr. Thomas) be given an extension? I think his term has expired.

The Honourable Mr. M. S. Aney: I can only assure the Honourable Member that the question whether he should be given an extension or not is under consideration of the Government of India and their decision in the matter will largely depend upon the view the Government of India will have to take after investigation in regard to the nature of the administration of the officer in the last few years.

Khan Bahadur Shaikh Fazi-i-Haq Piracha: Will the question of appointment of an Indian Muslim Director be considered?

The Honourable Mr. M. S. Aney: There is nothing in the conventional agreement to prevent an Indian being appointed, and that is all I can say. But whether we can impose upon anybody the condition that an Indian should be appointed is a matter on which the Government of India cannot form an opinion unless they consult the Government of Aden to whom the administration of Kamaran is at present subordinate

there. On that point it is difficult for me to give any off-hand opinion, but it may also be borne in mind that the population of Kamaran is not purely Indian; in fact the Indian element is very small. It is true that much of the money required for the administration of that island is recovered from Indians in the form of this fee, but the population there is not Indian; and how far our claim that an island which is inhabited not solely by Indians or even by a majority should be governed only by Indians will be tenable is a point on which the Government of India will have to give a good deal of thought before any definite suggestion can be made. But I can say that there is a good deal of force in the suggestion that if we pay the money we must have an effective control over the administration.

Maulana Zafar Ali Khan: Am I to understand that the policy of Government with regard to the administratorship of Kamaran is that not an Indian but an Arab shall be given the administration?

The Honourable Mr. M. S. Aney: I must confess that I was not prepared for the latter question which my Honourable friend has put, because I have not yet examined the composition of the population at Kamaran and I also do not know the exact way in which this question is looked at by the Government of Aden with whom we will have to collaborate in this matter before coming to any final conclusions. But the suggestion that has been made that the population is principally Arab will be borne in mind when the question is examined. All that I want to say now is whether it is advisable to have a committee appointed at this time. It means that if a committee is to be appointed it must go and visit Kamaran and stay there; and in the conditions that exist now as regards sea voyage I, at least, would not take the risk of sending any one of my friends here or outside on a voyage to Kamaran for investigating this matter. I regard their lives sufficiently precious about which no risk should be taken for the time being.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Division: Muhammadan Rural): May I ask a question? There is no international obligation for charging Kamaran. Will he abolish the Kamaran dues and administer that barren island as he thinks best according to international obligations?

The Honourable Mr. M. S. Aney: I have noted the opinion of my Honourable friends as regards the obligations arising out of the international treaty. I will get that question examined by the proper authorities and see if it is correct. If it is correct it will be carefully attended to.

These are the main things that were touched upon by Honourable Members in the course of the debate. I can understand the feeling which most of my Honourable friends have got on this question. They have repeatedly raised this question on the floor of this House and I can assure them that immediately we get a little time out of other matters which are immediately keeping us engaged, the Government of India will try to first examine this question departmentally thoroughly and see whether the present administration of Kamaran cannot be more economically managed, and if so, whether some relief cannot be given to the

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pilgrims in the matter of the fee that is paid. As regards the committee I can say that this is not the proper time in my opinion to appoint a committee for the investigation of this matter. It is now for Honourable Members to see whether the assurance I am giving will satisfy them or not, but I feel that on this assurance they should be ready not to press this Resolution to a division.

Khan Bahadur Shaikh Fasal-i-Haq Piracha: May I ask whether Government will be prepared to convey the views of the Muslim representatives on this subject to the Netherlands Government?

An Honourable Member: And to the Aden Government?

The Honourable Mr. M. S. Aney: Certainly, there is no objection to that.

Maulvi Muhammad Abdul Ghani: Sir, I think the Netherlands Government with whom the treaty was signed does not exist any longer and the Japanese Government is there.

Several Honourable Members: That is not correct.

Maulvi Muhammad Abdul Ghani: Anyway, as the Leader of the House has promised to look into the grievances, I beg leave of the House to withdraw the Resolution.

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

The Assembly then adjourned till Eleven of the Clock on Thursday, the 2nd April, 1942.