

13th March 1939

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume II, 1939

(16th February to 13th March, 1939)

NINTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1939



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1939

9—10

Legislative Assembly.

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

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LEGISLATIVE ASSEMBLY.

Monday, 13th March, 1939.

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

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

GUARDING OF RAILWAY LINE, ETC., WHEN TRAINS CARRY HIGH PERSONAGES.

978. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

- (a) whether when trains carry high personages the Railway line and the carriages are closely guarded against miscreants; and
- (b) whether the Government of India take the same care to protect the person of every passenger?

The Honourable Sir Thomas Stewart: (a) and (b). The ordinary precautions taken to guard the safety of trains are supplemented only in the case of the special trains conveying high personages.

Mr. Brojendra Narayan Chaudhury: Do pilot engines escort those trains?

The Honourable Sir Thomas Stewart: On occasion, yes.

Mr. Brojendra Narayan Chaudhury: What is the reply to part (b)?

The Honourable Sir Thomas Stewart: It is implicit in my reply. Ordinary precautions are always taken.

Mr. Brojendra Narayan Chaudhury: Why is not the same care taken in the case of ordinary persons as in the case of high personages?

The Honourable Sir Thomas Stewart: It is conceivable that there is necessity for greater precautions.

LEVY OF ECONOMIC RENTS FROM EUROPEAN REFRESHMENT ROOMS ON THE SOUTH INDIAN RAILWAY.

979. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable the Railway Member state:

- (a) the number of Indian and European refreshment rooms in the South Indian Railway;
- (b) whether the European refreshment rooms are charged only nominal rent, while the Indian refreshment rooms are charged economic rents;

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

- (c) whether the European refreshment rooms are used only by a small number of people, and those are mostly well-to-do;
- (d) what will be the amount that will accrue to the administration if the European refreshment rooms are charged economic rents; and
- (e) if so, whether Government have considered the advisability of charging economic rents from them?

The Honourable Sir Thomas Stewart: (a) and (b). I would refer the Honourable Member to the statement laid on the table of this House on the 7th February, 1939, in connection with Mr. S. Satyamurti's starred question No. 1088 of the 16th September, 1938.

(c), (d) and (e). I would refer the Honourable Member to the reply given to parts (b) to (e) of his starred question No. 901 of 9th March, 1939.

LEVY OF ECONOMIC RENTS FROM EUROPEAN REFRESHMENT ROOMS ON STATE RAILWAYS.

†980. ***Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Railway Member state:

- (a) whether the Eastern Bengal, Great Indian Peninsula, Bengal and North Western and the East Indian Railways charge nominal rents from European and Indian refreshment rooms;
- (b) whether the European refreshment rooms are mostly used by well-to-do people;
- (c) if so, whether Government have considered the advisability of charging economic rents from the European refreshment rooms; and
- (d) what will be the income to the administration, if they are charged economic rents?

The Honourable Sir Thomas Stewart: (a) I would refer the Honourable Member to the statement laid on the table of this House on the 7th February, 1939, in connection with Mr. S. Satyamurti's starred question No. 1088 of the 16th September, 1938.

(b), (c) and (d). I would refer the Honourable Member to the reply given to parts (c) to (e) of his starred question No. 901 of 9th March, 1939.

PRECAUTIONS TAKEN TO WATCH THE EAST INDIAN RAILWAY LINE.

981. ***Mr. Abdul Qaiyum:** Will the Honourable Member for Railways please state:

- (a) whether any precautions have been taken since the Hazaribagh disaster to have the East Indian Railway line properly watched;
- (b) if so, the nature of the precautions taken; and
- (c) whether Government are satisfied that the precautions taken in the danger zone are adequate?

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

The Honourable Sir Thomas Stewart: (a) and (b). I would refer the Honourable Member to the reply given to part (b) of Mr. B. N. Chaudhury's starred question No. 762 of 28th February, 1939.

(c) Government understand that the Railway Administration have asked the Provincial Government whether they consider the precautions adequate.

Mr. Abdul Qaiyum: May I know if the Honourable Member is in a position to tell us, what precautions have been taken since then?

The Honourable Sir Thomas Stewart: If the Honourable Member would do me the honour of referring to the question which I have quoted, he will see what action has been taken.

CASES OF TAMPERING WITH THE RAILS ON THE EAST INDIAN RAILWAY.

982. *Mr. Abdul Qaiyum: Will the Honourable Member for Railways please state:

(a) how many cases of tampering with the rails have come to the notice of the Government since the Hazaribagh disaster on the East Indian Railway; and

(b) whether any body has been detected or charged for the offence?

The Honourable Sir Thomas Stewart: (a) Two.

(b) Government have no information.

Mr. Abdul Qaiyum: With reference to part (a), may I know if the figure "two" covers the cases of tampering on all railways in India?

The Honourable Sir Thomas Stewart: I understood the Honourable Member's question to refer to the East Indian Railway.

Mr. Abdul Qaiyum: Has the Honourable Member got the figures for tampering on all railways?

The Honourable Sir Thomas Stewart: I have no such figures available.

Mr. Brojendra Narayan Chaudhury: Have not the railways to report immediately all cases of attempts at derailment?

The Honourable Sir Thomas Stewart: My recollection is that they are not so required to report immediately.

Mr. Brojendra Narayan Chaudhury: Will the Honourable Member consider whether the rule could be revised?

The Honourable Sir Thomas Stewart: No. I think it is unnecessary to revise the rules. Many of these cases that are classified as attempts to tamper with the railway may be merely stupid school boy pranks: the majority of them indeed are.

Mr. Abdul Qaiyum: Is it not a fact that the rails were found tampered with in one or two districts of the Punjab and the authorities took a serious view of it? It was very far from being a school boy's prank.

The Honourable Sir Thomas Stewart: I have heard of one such case.

Mr. Abdul Qaiyum: What was the action taken and with what result?

The Honourable Sir Thomas Stewart: Presumably investigations are being carried out by the authorities responsible for law and order in that district.

Mr. Brojendra Narayan Chaudhury: Is not school boy's tampering potentially as dangerous as attempts at major derailments?

The Honourable Sir Thomas Stewart: Not always.

RATE PER UNIT OF TIME FOR TRUNK TELEPHONE CALLS.

983. *Mr. Brojendra Narayan Chaudhury: Will the Honourable Communications Member please state how the rates per unit of time for trunk telephone calls between any two stations are worked out?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to rules 1, 459 and 460 of the Indian Telegraphs Rules, a copy of which is in the Library of the House.

Mr. Manu Subedar: May I know whether Government have considered the desirability of reducing the telephone charges between Bombay and Calcutta in the expectation that such reduction would bring greater revenue?

The Honourable Sir Thomas Stewart: The existing rates have been fixed after careful consideration.

Mr. Brojendra Narayan Chaudhury: Have Government considered whether the reduction of the rates would not bring in more traffic and more income?

The Honourable Sir Thomas Stewart: Certainly Government have considered that.

TRAIN DISASTER NEAR HAZARIBAGH ON THE EAST INDIAN RAILWAY.

984. *Mr. Brojendra Narayan Chaudhury: Will the Honourable Member for Railways please state:

- (a) whether the following observation of the Senior Railway Inspector in paragraph 52 of his report on the derailment of the Dehra Dun Express near Hazaribagh Road on the 12th January 1939 is correct:

“In the past few years there have been a *large number* of foiled or unsuccessful attempts at train wrecking;” and

- (b) if so, the steps taken to ward off such attempts and how far the steps taken have been effective?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) I would refer the Honourable Member to the reply given to part (f) of Mr. Abdul Qaiyum's starred question No. 1199 of 10th November, 1938.

FILLING UP OF THE POST OF DEPUTY AGENT OF THE SOUTH INDIAN RAILWAY.

†**985. *Mr. C. N. Muthuranga Mudaliar:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the present Deputy Agent of the South Indian Railway is being transferred

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

permanently as the Chief Engineer of the Railway from 1st April next and that the post of Deputy Agent will fall vacant permanently from that date?

(b) Is it a fact that the South Indian Railway propose to appoint a junior European officer as Deputy Agent, overlooking the claims of an Indian officer who is senior to him in service and possesses superior educational and technical qualifications?

(c) Having regard to the assurance of the Honourable Sir Muhammad Zafullah Khan (then Railway Member) in reply to starred question No. 304, put on the 11th September, 1936, that "sanction to the creation of the post was given subject to the condition that an Indian officer should be appointed to the post if a qualified officer was available", does the Honourable the Railway Member propose to address the South Indian Railway and see that no injustice is done to the claims of senior Indian officers in filling up the post of the Deputy Agent in that Railway?

The Honourable Sir Thomas Stewart: (a) Yes, except that the designation of the post being vacated is now Deputy General Manager (and not Deputy Agent), and his transfer to the post of Chief Engineer is, for the present, in an officiating capacity.

(b) Government have no definite information, as the appointment is one within the competence of the South Indian Railway Company, but understand that the officer whom the Company propose to appoint as Deputy General Manager has eighteen years service and has previously acted as such.

(c) The Agent and General Manager, South Indian Railway, states that no Indian officer with the necessary qualifications is available.

CLOSING OF THE LEVEL CROSSING NEAR THE TRIVALORE RAILWAY STATION.

†986. ***Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state:

- (a) whether the level crossing near the Trivalore railway station is closed most of the time during day or night;
- (b) whether he is aware that the closing of this level crossing causes great inconvenience to road traffic; and
- (c) whether Government propose to instruct the Madras and Southern Mahratta Railway authorities to construct an over-bridge in place of the level crossing?

The Honourable Sir Thomas Stewart: (a) and (b). Government have no information.

(c) The policy of Government is to leave such matters to the discretion of Railway Administrations who are in a position to judge of the local requirements in such cases. The matter appears to be one which can suitably be brought to the notice of the Agent and General Manager of the Railway concerned through the Local Advisory Committee.

ACCIDENTS ON THE DIBRU SADIYA RAILWAY.

987. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state:

- (a) whether any persons have been killed or seriously injured in a collision between a motor lorry and a rail car of the Dibru Sadiya Railway, and how the collision occurred in the first week of February;

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

- (b) the number of accidents on this Railway by collision or otherwise during the last twenty-four months causing death or injury to animals and persons;
- (c) the length of the Railway and its earnings in the last year; and
- (d) whether the number of accidents on this Railway have specially attracted the attention of the Government and whether a special inquiry to ascertain the general causes and to remedy them is contemplated?

The Honourable Sir Thomas Stewart: (a) Yes. An enquiry was held and it was found that the lorry driver, despite lack of visibility owing to a cloud of dust raised by a bus going in the opposite direction, suddenly turned in to the level crossing without satisfying himself that no train or engine was coming along the railway line before he attempted to cross.

(b) The information is not available, but, as regards the last two years ending March, 1938, I would refer the Honourable Member to Appendix D to Vol. II of the Railway Board's Annual Report on Indian Railways.

(c) 91·52 miles. The gross earnings were Rs. 21,21,000.

(d) No.

TICKETLESS TRAVEL ON RAILWAYS.

988. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

- (a) whether in recent years Government contemplated legislation to tackle the menace of ticketless railway travel; if so, whether the idea has been abandoned and why;
- (b) whether there has been an improvement in the situation; if so, to what extent;
- (c) whether in this connection any Bill was drafted; if so, whether he will place the draft on the table;
- (d) whether a new kind of ticketless travelling that has arisen is by masses of labour strikers and kisan demonstrators, and whether any special measures are contemplated to meet these cases;
- (e) whether in the first week of February, 1939, the kisans of Nawadah, district Gaya, lay on the permanent way to stop a train with a view to boarding the train without tickets, and whether in the month of January, kisans led by Swami Sahajananda boarded a train without tickets at Gaya; and
- (f) the steps taken against these persons?

The Honourable Sir Thomas Stewart: (a) The reply to the first part is in the affirmative and to the second part in the negative.

(b) There has been a slight improvement. The percentage of persons detected travelling without tickets fell from 0·60 in 1936-37 to 0·57 in 1937-38, although the number of passengers travelling increased by approximately 3½ millions.

(c) I would refer the Honourable Member to the debates in this House on the 2nd February, 1937.

(d) There have been a few such cases.

(e) and (f). In reply to the first part of (e), Government have no information regarding the alleged occurrence in February, 1939. In reply to the second part of (e) and to part (f), I would refer the Honourable Member to the reply given to his starred question No. 523 of 20th February, 1939.

Mr. Brojendra Narayan Chaudhury: What special measures are contemplated to meet the new kind of menace of ticketless travel? I have had no reply to that part of the question.

The Honourable Sir Thomas Stewart: It is by no means a new menace.

Mr. Manu Subedar: May I know whether Government have the power to launch criminal trespass prosecutions against such persons?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to the provisions of the Indian Railways Act.

REDUCTION OF NON-GAZETTED AND INFERIOR STAFF ON THE EAST INDIAN RAILWAY.

†1989. ***Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state:

- (a) if his attention has been drawn to the following letter which appeared in the *Statesman* of the 8th February 1939 from one Mr. T. E. Martin:

“ SABOTAGE AND RETRENCHMENT.

SIR, While there has not been “block” retrenchment since 1929, reduction of non-gazetted and inferior staff has been systematically made; the plea is that as a result of job analysis the men are found surplus. Sabotage has been accepted, and it is reasonable to infer that men connected with the working and maintenance of the track must be connected with the removal of fish plates and rails. A reference to the Report of the Indian Railway Enquiry Committee, 1937, shows that the percentage of mates, keymen and gangmen per track mile for the year 1929-30 was 3.6 against 2.6 in 1935-36, that is, a decrease of 72 per cent. This then gives the disturbing thought that all is not well with the track. This matter should therefore be gone into thoroughly. In contrast with the decrease in mates, keymen and gangmen, one learns that the Railway Board has sanctioned additional gazetted staff for the E. I. Ry. An explanation is obviously due.

Yours, etc.,
T. E. MARTIN,
Calcutta.”

- (b) the number of mates, keymen and gangmen, as well as permanent way inspectors and sub-inspectors, on all the lines of the East Indian Railway between Asansol and Moghul Serai in the years 1936, 1937 and 1938;
- (c) the number of officers in the gazetted and lower gazetted services in all the departments—transportation, commercial, engineering, etc., in the years 1936, 1937 and 1938 in the same section between Asansol and Moghul Serai;
- (d) whether there has been any decrease, as alleged in the letter, from the numbers in 1929-30, and if so, why; and
- (e) whether there has been any increase in the officer staff during the same period, and if so, why?

The Honourable Sir Thomas Stewart: (a) Yes

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

(b) and (c). I lay on the table two statements giving the required information.

(d) Yes, but the actual percentage decrease is 28 and not 72. An examination of the strength of maintenance gangs showed that the number of gangmen per mile was higher than on other railways and could not be justified. The reductions made have brought the East Indian Railway on a parity with other railways.

(e) There has been no increase in the number of gazetted officers.

- *Statement showing number of Permanent Way Inspectors, Assistant and Sub-Permanent Way Inspectors, Mates, Keymen and Gangmen employed on Main Line and Grand Chord between Asansol and Moghal Sarai during 1936, 1937 and 1938.*

Years.	Main Line.					Grand Chord.				
	Permanent Way Inspectors.	Assistant and Sub-Permanent Way Inspectors.	Mates.	Keymen.	Gangmen.	Permanent Way Inspectors.	Assistant and Sub-Permanent Way Inspectors.	Mates.	Keymen.	Gangmen.
1936	10	6	138	126	2,531	12	8	180	150	2,754
1937	9	5	138	126	2,531	12	6	180	150	2,754
1938	9	4	163	151	2,531	12	6	192	162	2,758

Statement of officers stationed on the Main Line and Grand Chord between Asansol and Moghal Sarai during the years 1936, 1937 and 1938.

	1936.	1937.	1938.	1936.	1937.	1938.
	Asansol Division.			Dinapore Division.		
Divisional Superintendent	1	1	1	1	1	1
Staff Superintendent	1	1	1	1	1	1
Assistant Staff Superintendent	1	1	1	1	1	1
Superintendent, Way and Works.	3	3	3	2	2	2
Assistant Superintendent, Way and Works.	5	5	5	6	6	4
Superintendent, Transportation	1	1	1	1	1	1
Assistant Superintendent, Transportation.	2	2	3	2	2	2
Assistant Superintendent, Commercial.	1	1	1	2	2	2
Superintendent, Power	1	1	1	1	1	1
Superintendent, Rolling Stock	1	1	1	1	1	1
Assistant Superintendent, Power.	1	1	2	1	1	1
Assistant Superintendent, Rolling Stock.	1	1				
District Signal Engineer	1	1				
Assistant Signal Engineer			1	1	1	1
Coal Area Superintendent	1	1	1			
Assistant Coal Area Superintendent.	1	1	1			
Divisional Medical Officers or Assistant Medical Officers.	3	3	2	2	2	2

EXPULSION OF THREE INDIANS FROM FRANCE.

†990. ***Mr. S. Satyamurti**: Will the Secretary for External Affairs be pleased to state with reference to the statement in the House of Commons by the Under Secretary for Foreign Affairs that the French Government had not seen their way to rescind the expulsion orders against three Indian subjects from France:

- (a) whether the Government of India have taken up the matter further with His Majesty's Government to ascertain the reasons why these Indian subjects have been expelled from France; and
- (b) whether the Government of India propose to pursue this matter further to see that these orders are cancelled as early as possible; if not, why not?

Sir Aubrey Metcalfe: (a) No.

(b) It is not within the competence of the Government of India to effect the cancellation of orders passed by a Foreign Government on a matter which concerns the internal administration of that state. The Government of India do not, therefore, propose to pursue the matter.

TREATY WITH MUSCAT.

991. ***Mr. Abdul Qaiyum**: Will the Foreign Secretary please state:

- (a) whether a new treaty was signed (*inter alia* dealing with commerce and navigation) by His Majesty's Government at Muscat on the 5th February 1939, on behalf of India;
- (b) if so, how this treaty affects India;
- (c) whether the Government of India were consulted before they signed; and
- (d) what are the most important clauses of this treaty regarding India, and the nature thereof?

Sir Aubrey Metcalfe: (a), (b), (c) and (d). The Honourable Member's attention is invited to the replies given to questions Nos. 556A and 556B asked by Pandit Sri Krishna Dutta Paliwal in the present Session.

RELIEVING OF CONGESTION IN THE IMPERIAL SECRETARIAT NORTH POST OFFICE, NEW DELHI.

†992. ***Mr. C. N. Muthuranga Mudaliar**: Will the Honourable Member for Communications state:

- (a) whether he is aware or not that for practically half the month from the 1st to the 12th or 15th of every month during the winter season there is always a rush in the post office in the North Block of the Imperial Secretariat buildings and that owing to the very limited space and the number of peons waiting there to transact business, no other person has any chance even to approach the windows;

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

- (b) whether Government propose to take steps to relieve this congestion by allotting more space and employing more clerks in this post office and having the letter boxes inside the post office and not outside; and
- (c) the number of money orders and their value, the number of registered and insured articles and letters handled in this post office and in the New Delhi post office during the first ten days of November, December, January, February and March of the years 1936, 1937 and 1938?

The Honourable Sir Thomas Stewart: (a) I have no information to that effect.

(b) The matter is within the competence of the Postmaster General, Punjab and North-West Frontier Circle, to whom a copy of the question is being sent for such action as he may consider suitable.

(c) The information is not available and cannot be collected without undue expenditure of time and labour.

ESTABLISHMENT OF THE FEDERAL RAILWAY AUTHORITY.

†993. ***Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Communications please state how far the work in connection with the establishment of the Federal Railway Authority has advanced and whether it is proposed to inaugurate the Authority by means of an Order in Council, or by legislation in the Central Legislature? If the latter, when?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to my reply to Mr. K. Santhanam's starred question No. 20 on the 3rd February, 1939.

PROTECTION OF WOMEN PASSENGERS IN RAILWAY TRAINS.

†994. ***Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Railway Member state:

- (a) whether the question of protection of women passengers in Railway trains has recently been considered by Government; and
- (b) if so, whether any definite proposals have been considered and adopted?

The Honourable Sir Thomas Stewart: (a) and (b). I would refer the Honourable Member to the reply given to Mr. C. N. Muthuranga Mudaliar's starred question No. 25 of the 25th January, 1937, and would add that the suggestion that the upper part of partitions separating women's compartments from adjacent compartments should be provided with suitable shielded openings which would more readily permit of oral communications between the two compartments was discussed by Railway Administrations with their Advisory Committees. The majority of Advisory Committees were against the proposal. Some Railways, however, are experimenting with the device.

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

SHORTAGE IN THE SUPPLY OF WAGONS FOR DESPATCH OF COAL FROM BENGAL AND BIHAR.

†995. *Mr. S. Satyamurti: Will the Honourable Member for Railways please state:

- (a) whether the Indian Colliery Owners Association sent to the Railway Board a memorandum pointing out that during the last week, that is, in February, the allotment of wagon for up-country was only 25 per cent. and with this small supply it was very difficult to provide all the industries which depend mainly upon Bengal and Bihar coal for their full requirements;
- (b) whether he is aware that stocks of coal have accumulated in the collieries and the situation is becoming serious, as many mills are on the verge of being closed down for want of coal; and
- (c) whether the Railway Board have taken any steps to meet the wagon supply; if so, what those steps are?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) This statement was made in the memorandum from the Indian Colliery Owners' Association to which the Honourable Member refers.

(c) The Railway Administration is taking all possible steps to meet the wagon supply by obtaining wagons from other Railways to the extent to which they are available, by the use of wagons due for periodical overhaul but otherwise fit to run and by the curtailment of the supply of wagons for general merchandise.

PARTICIPATION OF RAILWAYS IN ROAD SERVICES.

†996. *Mr. S. Satyamurti: Will the Honourable Member for Railways please state:

- (a) whether before giving permission to Railways, Company or State-managed, to embark on motor transport on roads in co-operation with private individuals or companies or firms, the Railway Board consulted and obtained the opinions of Provincial Governments concerned;
- (b) if so, what their opinions were; if not, why they were not consulted; and
- (c) whether the Railway Board have considered the fact that roads is a Provincial subject and that local bodies have already started, or are starting road transport sometimes with the sanction of their Provincial Governments with a view to add to their resources and to provide cheap and convenient transport for passengers within their jurisdiction?

The Honourable Sir Thomas Stewart: (a) No.

(b) Under sub-section (2) of section 51A of the Indian Railways Act, such consultation is not incumbent on the Railway Department.

(c) The answer to the first part is in the affirmative. As regards the second part Government have no information.

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

COMPOSITION AND INDIANISATION OF THE RAILWAY BOARD.

†997. *Mr. S. Satyamurti: Will the Honourable Member for Railways please state:

- (a) the present composition of the Railway Board;
- (b) the tenure of office of each member of the Railway Board;
- (c) how many of them are Europeans and how many Indians;
- (d) whether there is any proposal to appoint at least one permanent Indian Member of the Railway Board when the next vacancy arises;
- (e) when the next vacancy is expected to arise; and
- (f) whether there is any proposal to completely Indianise the Railway Board as early as possible, if not, why not?

The Honourable Sir Thomas Stewart: (a) Four; Chief Commissioner, Financial Commissioner and two Members.

(b) Normally five years.

(c) Three Europeans and one Indian.

(d) Government are unable to commit themselves at this date.

(e) November, 1939.

(f) Members of the Railway Board are selected from officers of long experience with an intimate knowledge of railway working and administration. In this selection no distinction is made between Europeans and Indians.

DEMAND FOR SHIFTING OF THE AJODHYA SUB-POST OFFICE.

†998. *Mr. Mohan Lal Saksena: (a) Will the Honourable Member for Communications be pleased to state if it is a fact that the present site of the Ajodhya sub-post office is not central and there has been agitation for nearly ten years for its being shifted from Raiganj to some more central place?

(b) Is it also a fact that the Deputy Postmaster General visited the place last year and approved of a building in Mohalla Singarghat for the sub-post office and even the proprietor of the house was informed that the building would be occupied by the post office with effect from the 1st April, 1939?

(c) If the answer to part (b) be in the affirmative, will Government state the reasons why the landlord has been stopped from making any additions and alterations to the said building?

(d) In view of the fact that Ajodhya is a big centre of pilgrimage, are Government prepared to see that the Ajodhya sub-post office is located at a central place?

(e) Are Government aware that the public of Ajodhya experience great inconvenience because the branch post offices at Ajodhya are all under Fyzabad city post office? If so, are Government prepared to consider the advisability of making such changes as would obviate the difficulty and inconvenience to the public?

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

The Honourable Sir Thomas Stewart: Government have no information. The matter is within the competence of the Postmaster General, United Provinces, to whom a copy of the question is being sent for such action as he may consider suitable.

WITHHOLDING OF MEMORIALS OF RAILWAY SERVANTS TO THE GOVERNOR GENERAL.

999. *Mr. Govind V. Deshmukh (on behalf of Qazi Muhammad Ahmad Kazmi): With reference to the reply to starred question No. 1692, parts (d) and (g), dated the 17th April, 1936, laid on the table of this House on the 31st August, 1936, will the Honourable Member for Railways be pleased to state:

- (a) whether the Chief Commercial Manager, Chief Operating Superintendent and the General Manager on the East Indian Railway are also included in the category of a Local Government for the purpose of withholding of memorials addressed to the Governor General in Council;
- (b) if the reply to part (a) be in the affirmative, what position is left for the Railway Board for the purpose of withholding such memorials;
- (c) whether the transmission of memorials to the Governor General in Council can be withheld by the Railway Board, if the same has been forwarded to them by the various authorities, viz., Divisional Superintendent, Chief Commercial Manager and the General Manager; and
- (d) through how many authorities a memorial passes on the East Indian Railway before it can reach the Governor General in Council?

The Honourable Sir Thomas Stewart: (a) Yes, in respect of non-pensionable subordinate staff.

(b) The Railway Board is empowered to withhold petitions from pensionable subordinate staff and gazetted staff, addressed to the Governor-General in Council.

(c) and (d). I would refer the Honourable Member to Part III and paragraph 6 (2) of the Home Department's Notification No. F.-6/7/33/II, dated the 19th June, 1933, embodying instructions for the submission of petitions to the Governor General in Council.

OLD TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.

1000. *Mr. Govind V. Deshmukh (on behalf of Qazi Muhammad Ahmad Kazmi): Will the Honourable Member for Railways please state:

- (a) whether it is a fact that the Railway Board restored the old pay of the old travelling ticket inspectors on the East Indian Railway in December, 1932, and while doing so they issued the following instructions:

“With a view to reducing the extra expense arising from the grant of this concession the Board desire that such employees should be considered for promotion to higher posts for which they may be qualified as vacancies occur in such posts”;

- (b) since December, 1932, how many old travelling ticket inspectors have been provided in higher posts (Guards, Commercial Inspectors, Claim Inspectors, Traffic Canvassers, etc.) and how many of the staff of the Ticket Checking Branch (other than the old travelling ticket inspectors) and drawing Rs. 95 have been provided in such higher vacancies;
- (c) what facilities, if any, have been given to the old travelling ticket inspectors on the East Indian Railway to qualify in other duties and get necessary training at the Railway School at Chandausi; and
- (d) whether there is any restriction imposed on them against getting such training at Chandausi?

The Honourable Sir Thomas Stewart: (a) to (d). I would refer the Honourable Member to the reply given to his starred question No. 832 on the 26th February, 1936.

PREPONDERANCE OF NON-MUSLIMS IN THE CONFIDENTIAL BRANCH OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

+1001. ***Mr. H. M. Abdullah:** (a) Will the Honourable Member for Railways please state whether it is a fact that instructions were issued to the General Manager, State-managed Railways, that there should not be preponderance of any community in any branch of Railway service, particularly in sections dealing with establishment matters and the number of Muslims in such sections should be adequate?

(b) Is it a fact that there is a confidential branch in the North Western Railway Headquarters Office, and certain establishment matters of staff connected with their selections, appointments, promotions, appeals, etc., are dealt with in that section?

(c) Is it a fact that the confidential branch is exclusively manned by non-Muslims and no Muslim has so far been posted in the branch in pursuance of the policy of the Government of India to employ adequate number of Muslims in sections dealing with establishment matters?

(d) Is it a fact that even the shorter vacancies occurring in the branch are not given to Muslims, but are filled in by importing non-Muslims from other sections?

(e) If the reply to parts (a) to (d) be in the affirmative, will Government state what steps they propose to avoid preponderance of non-Muslims in the confidential branch of the North Western Railway Headquarters Office and to employ Muslims in that branch? If not, why not?

The Honourable Sir Thomas Stewart: (a) No. The instructions were that particular communities should not be handicapped by the preponderance of any one community in the Establishment sections of railway offices.

(b) There is a confidential branch which is merely a depository for confidential papers.

(c) There is no Muslim at present, but it is not practicable to say whether there has never been one, without an examination of the records dating back to the period when the branch was constituted.

(d) I am prepared to accept this from the Honourable Member, but would add that recruitment to this branch is made from among stenographers employed in the headquarters office.

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

(e) Postings to branches are not regulated on communal basis, but I will send a copy of the Honourable Member's question to the General Manager of the North Western Railway for such action as he may consider necessary.

REFUSAL OF MEMBERSHIP OF FLYING CLUBS IN ENGLAND TO INDIANS.

†1002. *Mr. Brojendra Narayan Choudhury (on behalf of Mr. Kuladhar Chaliha): Will the Foreign Secretary please state:

- (a) whether his attention has been drawn to a passage in the *Statesman* of the 24th February, 1939 (Delhi Edition), published under the heading "Colour Bar";
- (b) whether it is a fact that Indians are not allowed to be members in some flying clubs in England;
- (c) whether there is any agreement between the Air Ministry and the clubs in England not to make any discrimination against Indian British subjects;
- (d) if so, whether Government are prepared to enquire why some Indians were refused membership in the flying clubs in England;
- (e) what are the conditions of residence to be conformed to;
- (f) what length of residence is necessary for a British Indian subject to be domiciled in England; and
- (g) if the necessary domicile was acquired by these Indians who wanted to be members of the flying clubs in England, and who were refused membership, whether Government are prepared to take necessary steps, so that no discrimination is made in future in these clubs?

Sir Aubrey Metcalfe: The question should have been addressed to the Secretary in the Education, Health and Lands Department.

MEASURES TO COPE WITH THE TRAFFIC DURING THE MAHABARNI MELA AT HARDWAR.

†1003. *Choudhri Raghuraj Narayan Singh: (a) Will the Honourable Member in charge of Railways be pleased to state whether it is a fact or not that there are expectations of a heavy traffic during the Mahabarni Mela at Hardwar during March 1939 and this occasion is held more or less equal to the Kumbh Mela held after every twelve years?

(b) Is it a fact that the Superintendent, Way and Works, Moradabad ordered the dismantling of all temporary constructions which were erected during the last Kumbh and the demolishing work was completed in November, 1938?

(c) Is it a fact that some of the dismantled constructions are again being built from January, 1939, to cope with the Mahabarni Mela to be held next month? If not, from which month are they taking place?

(d) What expenditure is proposed to be incurred on account of dismantling and reconstruction within such a short period, and what were the reasons for having done so?

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

The Honourable Sir Thomas Stewart: With your permission, Sir, I propose to reply to the Honourable Member's questions Nos. 1003 and 1004 together.

Information is being obtained from the Railway Administration concerned and will be placed on the table of the House in due course.

BRICKS PURCHASED FOR THE CONSTRUCTION OF THE HARDWAR RAILWAY STATION.

† 1004. ***Choudhri Raghbir Narayan Singh:** (a) Will the Honourable the Railway Member please state whether it is a fact that bricks for the construction of Hardwar railway station were brought from Saharanpur, Bijnore, by the Railway Administration and the loading and unloading of the same was done by Railway labour?

(b) Is it a fact that the cost was not debited to the contractor? If so, why?

(c) What was the quantity of bricks purchased and at what rate?

(d) What was the expenditure in respect of freight and other charges incurred by the Railway?

BATHING ARRANGEMENTS FOR THIRD CLASS PASSENGERS ON RAILWAYS.

†1005. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether there are any bathing arrangements at important and junction stations for third class passengers on any of the Indian Railways?

(b) If the reply to part (a) be in the affirmative, will the Honourable Member please state the names of the stations, and the nature of bathing arrangements?

(c) Is it proposed to extend the bathing facilities for third class passengers to the North Western Railway as well? If so, when? If not, why not?

The Honourable Sir Thomas Stewart: (a) to (c). I am calling for the information required and a statement will be prepared and laid on the table of this House when complete.

ALLOWING OF POLICE OFFICIALS TO SIT AT DEPARTMENTAL ENQUIRIES ON THE NORTH WESTERN RAILWAY.

†1006. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether police officials are allowed to sit at departmental enquiries on the North Western Railway? If so, what are the rules and orders on the subject?

(b) Is this privilege of police officials being on enquiry committees extended to cases in which police have been unsuccessful in obtaining conviction in a court of law?

(c) Is it a fact that in the Rawalpindi Division of the North Western Railway, an Assistant Station Master was challanned by Police, but the case was withdrawn, as no criminal offence had been committed by the employee concerned?

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

‡ For answer to this question, see answer to question No. 1003.

(d) Is it a fact that the investigating Sub-Inspector of Police, was made a member of the Departmental Enquiry? If so, will the Honourable Member please quote a definite rule under which a police official was made a member of the Departmental Enquiry Committee?

(e) Were these orders of inclusion of a police officer in the Enquiry passed by the local official, or by the General Manager? If by the General Manager, has he laid down any policy on the subject? If so, will the Honourable Member please lay on the table of the House the relevant orders on the matter of the policy?

(f) Is it a fact that in view of the Police Sub-Inspector being on the Enquiry Committee; the Assistant Station Master complained to the Railway Administration of not having received a fair deal from such an enquiry committee? If so, how was his complaint disposed of?

(g) Do Government propose to ensure that the Departmental Enquiries on the railways are free from interference by police? If not, why not?

The Honourable Sir Thomas Stewart: (a) and (b). Police officers are permitted to be present at departmental enquiries into railway accidents. Government have not issued any orders on the subject other than those contained in the Railway Department (Railway Board) Notification No. 1926-T of 19th March, 1930. Cases may, however, arise in which the proceedings of a departmental enquiry would be facilitated by a police officer being on the Committee of enquiry.

(c) to (g). If the Honourable Member will let me have further particulars of the case to which he refers, I shall have enquiries made.

FALL IN EARNINGS ON THE KATHIHAR-JOGBANI AND BARSOI-KISHANGANJ SECTIONS OF THE EASTERN BENGAL RAILWAY.

1007. *Maulvi Muhammad Ahsan: (a) Will the Honourable the Railway Member be pleased to state whether it is a fact that sections Kathihar-Jogbani and Barsoi-Kishanganj of the Eastern Bengal Railway have been constantly showing decrease in the Railway earnings towards both passengers and goods traffic, year after year?

(b) If the answer to part (a) be in the affirmative, have the causes of this fall in the Railway revenue been enquired into and with what result?

(c) Are Government aware that this decrease in the Railway revenue is due to the fact that most important centres of trades which are situated beyond the area served by the Railway have considerable difficulties in transporting their produce and making necessary journeys in connection with their trades?

(d) Are Government prepared to consider the question of extending the line from Ararya to Kishanganj as a Branch line *via* Bahadurgunj to make up the losses on the two existing sections now running with fall in the Railway revenue, in view of the difficulties of the transport and public need?

The Honourable Sir Thomas Stewart: (a) No.

(b), (c) and (d). Do not arise.

EXPULSION OF TWO INDIAN JOURNALISTS FROM FRANCE.

†1008. ***Sardar Mangal Singh:** With reference to the reply to my starred question No. 4, dated the 3rd February, 1939, and supplementaries thereon; will the Foreign Secretary please state:

- (a) whether the Government of India have received any reply from His Majesty's Government to his enquiries regarding the expulsion of Indian journalists from France;
- (b) whether the French Government have agreed to cancel the expulsion orders or have given any satisfactory answer to His Majesty's Government; and
- (c) whether Government are still pursuing this matter, or whether they have dropped it altogether?

Sir Aubrey Metcalfe: (a) Yes.

(b) The French Government have not agreed at present to cancel the orders. Whether their answer is satisfactory or not is a matter on which Government can express no opinion.

(c) The Honourable Member's attention is invited to the reply given today to Mr. Satyamurti's starred question No. 990.

INDIANS INJURED OR KILLED DURING THE JAPANESE AIR RAIDS ON THE BRITISH TERRITORY AND INTERNATIONAL SETTLEMENT IN CHINA.

†1009. ***Sardar Mangal Singh:** Will the Foreign Secretary please state:

- (a) whether any Indians were injured or killed during the Japanese air raids on the British territory and International Settlement in China; and
- (b) whether any compensation was paid, or will be paid to the families of those killed or injured in these air raids?

Sir Aubrey Metcalfe: (a) and (b). The Honourable Member is presumably referring to the Japanese Air Raid on the village of Shumchun near Hong Kong which was recently reported in the Press.

Government have received no official information regarding the injury or loss of life of any Indians. With regard to similar incidents which took place in 1937 in the neighbourhood of Shanghai the Honourable Member is referred to the reply which I gave in this House on the 8th September, 1938, to part (b) of Babu Baijnath Bajoria's question No. 870.

RESTRICTIONS ON THE FORWARDING OF APPLICATIONS FOR TRANSFER TO OTHER OFFICES IMPOSED BY THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS ON HIS STAFF.

†1010. ***Maulana Zafar Ali Khan:** (a) Will the Honourable Member for Communications please state whether Government are aware that the Director General of Posts and Telegraphs has issued an order to the effect that applications from the staff of his office for transfer to some other offices will not be forwarded?

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

(b) Will Government please state whether similar orders have been issued by any other Attached Offices of the Government of India?

(c) If the reply to part (b) be in the negative, will Government please state the reason for such differential treatment in the case of the Director General of Posts and Telegraphs staff?

(d) Are Government prepared to cancel the restriction imposed by the Director General of Posts and Telegraphs with a view to affording facilities to such of the staff who want to better their prospects elsewhere? If not, why not?

The Honourable Sir Thomas Stewart: (a) The order to which the Honourable Member refers is to the effect that applications for transfer to posts in other offices will not be granted when it is considered that the applicant cannot be spared without difficulty and it is not in the interests of the Department to lose the services of the applicant in view of the experience gained by him. These orders are an interpretation of the orders of Government which apply to all offices under them.

(b) So far as I have been able to ascertain, no similar order has been issued by any other attached office.

(c) There is no differential treatment involved. The orders issued by the Director General are not in conflict with Government's orders on the subject.

(d) No, for the reasons stated in the reply to part (a).

RELEGATION OF CERTAIN CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

†1011. ***Maulana Zafar Ali Khan:** (a) Will the Honourable Member for Communications please state whether it is a fact that as a result of the recent reorganisation, quite a large number of new Second Division clerks on Rs. 80—200 have been recruited in the office of the Director General of Posts and Telegraphs in place of old Second Division clerks relegated to Third Division on their own scale of pay (Rs. 55—155)?

(b) If the reply to part (a) be in the affirmative, will Government please state how much additional expenditure has been incurred on account of the relegation of the old Second Division clerks to Third Division?

(c) Do Government propose to review the effect of reorganisation from the point of view of economy? If not, why not?

The Honourable Sir Thomas Stewart: (a) It is a fact that a number of clerks have been recruited to the new Second Division cadre in the Office of the Director General, but no clerk belonging to the old Second Division has been relegated to the Third Division.

(b) There has been and will be some additional expenditure but it is not possible to estimate this with any degree of accuracy.

(c) No, because the additional expenditure is considered to be fully justified in the interests of efficiency.

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

RELEGATION OF CERTAIN CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

†1012. ***Maulana Zafar Ali Khan:** (a) Will the Honourable Member for Communications please state whether it is a fact that as many as forty-five Second Division clerks in the office of the Director General of Posts and Telegraphs have been relegated to Third Division on the ground of incompetence during the recent reorganisation of the office?

(b) Is it a fact that selection of personnel for discharge or relegation was made by three officers of the Directorate who interviewed the clerks for the purpose?

(c) Is it a fact that some of the clerks who, could not be interviewed, having been on leave at the time, have also been included in the list of relegated officials?

(d) If the reply to part (c) be in the affirmative, will Government please state what means were adopted to test the abilities of such clerks?

(e) Will Government please state whether the selection was approved of by the Posts and Telegraphs Board?

(f) If the reply to part (e) be in the negative, do Government propose to have the selection reviewed by the Posts and Telegraphs Board? If not, why not?

The Honourable Sir Thomas Stewart: (a) to (f). As I have just explained, no clerks of the old Second Division have been relegated to the Third Division. Forty-five of them have been counted against the sanctioned posts of the Third Division to enable the Director General to recruit men of a higher standard in the new Second Division, but they continue to draw their old rates of pay. I am not prepared to discuss on the floor of the House how certain internal administrative arrangements were actually decided upon.

TRAIN DISASTER NEAR HAZARIBAGH ON THE EAST INDIAN RAILWAY.

†1013. ***Sardar Mangal Singh:** Will the Honourable Member for Railways please refer to paragraph 33 of the Report by the Senior Government Inspector of Railways, Circle No. 1, Calcutta, dated the 25th January, 1939, on the derailment of No. 9 Up Dehra Dun Express between Chikaki and Hazaribagh Road, East Indian Railway, on the 12th January, 1939, and state:

(a) whether the finger marks were sent for tracing by the experts of the Finger Prints Bureau maintained by the Police Department;

(b) whether the investigating staff compared those finger marks with the service records of the existing and the discharged staff of that section; and

(c) whether the finger marks resemble those of permanent way staff who reached the site by 9-10 hours on that date?

The Honourable Sir Thomas Stewart: (a), (b) and (c). Government have no information.

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

DELEGATION OF POWERS TO DECIDE APPLICATIONS FOR ALTERATION OF RECORDED AGE ON THE EAST INDIAN RAILWAY.

†1014. *Sardar Mangal Singh: Will the Honourable Member for Railways please state :

- (a) whether the General Manager, East Indian Railway, has delegated the powers to decide the applications for an alteration of recorded age to an authority subordinate to him in his minute sheet No. AE 816/1, dated the 2nd January, 1936;
- (b) whether an appeal against the original order of the General Manager on those applications lies to the Railway Board under Rule 17 issued under Railway Board's letter No. E/34/R.G. 6, dated the 22nd June, 1935; and
- (c) whether he will place on the table the copy of the General Manager's Circular No. OPE 90, dated the 25th October, 1938, and of the rules and regulations under which no appeal lies to Railway Board against the initial orders of the General Managers?

The Honourable Sir Thomas Stewart: (a) and (b). No.

(c) No circular bearing the number and date referred to was issued. No appeal lies to the Railway Board in view of the delegation of powers to General Managers of State-managed Railways, *vide* page 271 of the State Railway Establishment Code, a copy of which is in the Library of the House.

INTERVIEW AT PESHAWAR BETWEEN HIS EXCELLENCY THE GOVERNOR AND AGENT FOR THE TRIBAL AREAS AND KHAN ABDUL GHAFFAR KHAN.

1015. *Mr. Abdul Qaiyum: Will the Foreign Secretary please state :

- (a) whether an interview recently took place at Peshawar between His Excellency the Governor and Agent for the tribal areas and Khan Abdul Ghaffar Khan;
- (b) whether the question of the tribal areas was discussed;
- (c) whether Khan Abdul Ghaffar Khan made some suggestions for removing the tribal unrest;
- (d) whether Government have considered and accepted those suggestions; and
- (e) if so, whether a change of policy is to take place about these tribes?

Sir Aubrey Metcalfe: (a) Yes.

(b) and (c). Government have no information. The interview was of an entirely private and informal nature.

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

Mr. Abdul Qaiyum: With reference to parts (b) and (c) of the question, may I know, Sir, the reason why the Government of India did not call for any information on the subject?

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

Sir Aubrey Metcalfe: Because there was no reason why they should.

Mr. Abdul Qaiyum: Does it mean that the Agent to the Governor General interviewed Khan Abdul Ghaffar Khan on his own responsibility and did not communicate the substance of the interview to the Government of India?

Sir Aubrey Metcalfe: Certainly.

Mr. Abdul Qaiyum: May I know, Sir, if the Government of India will now make inquiries on this point?

Sir Aubrey Metcalfe: No.

Mr. Abdul Qaiyum: May I know the reasons for this 'no'?

Sir Aubrey Metcalfe: Because the conversation was of an entirely private and informal nature.

Mr. Abdul Qaiyum: Was the subject discussed of a private nature or was it a matter of public interest?

Sir Aubrey Metcalfe: It is quite obvious that I can give no information on the subject or as to the text of the conversation.

Mr. Abdul Qaiyum: If the Honourable Member does not know the substance of the talk, how does he say that the matter discussed was private? I should like to know the reason.

Sir Aubrey Metcalfe: I merely say the conversation was private.

Mr. Abdul Qaiyum: I want an answer to my question, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot have any discussion.

Mr. Abdul Qaiyum: I should like to state one thing, Sir, and that is that the attitude of the

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot make any statement, no Member is allowed.

Mr. Abdul Qaiyum: Sir, I seek the permission of the Chair to say.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot make any statement.

Mr. Abdul Qaiyum: Am I not entitled to have my say?

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member resume his seat?

Mr. Abdul Qaiyum: I should like to protest against the attitude of the Foreign Secretary in being so utterly uncommunicative.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot get any information; if he likes to protest he must avail himself of a proper opportunity. He must obey the Chair.

Some Honourable Members: Order.

Mr. Abdul Qaiyum: No order; to hell with the Government which behaves thus

Sir Aubrey Metcalfe: May I protest against that, Sir? Is it right to say to hell with the Government? Is that a parliamentary expression?

Mr. President (The Honourable Sir Abdur Rahim): I did not hear that. It is an unparliamentary expression. The Honourable Member must withdraw it.

Mr. Abdul Qaiyum: While withdrawing it, I again protest against their attitude.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must withdraw it unreservedly.

Mr. Abdul Qaiyum: I withdraw it, but I protest also against your attitude

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

Mr. Abdul Qaiyum: How can you expect people to put up with all this

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

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

SECOND STAGE—*contd.*

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

Mr. President (The Honourable Sir Abdur Rahim): The second stage of the discussion of the Budget will now be taken up. It is now the turn of the Muslim League Party.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move . . .

Sardar Sant Singh (West Punjab: Sikh): May I know, Sir, what happened to the cut motion moved by the Leader of the European Group? Will there be any voting on it?

Mr. President (The Honourable Sir Abdur Rahim): There has been a time table arranged by the Parties themselves which was accepted by the House. According to that time table, it is now the turn of the Muslim League. As to the motion that was moved by the European Group, there was no time to have any voting on it if they wanted to have it. The result is that the Muslim League will now move their motion

Sardar Sant Singh: What I want to know, Sir, is,—what has happened to that motion which was moved by the European Group? It was not put to the vote at all.

Mr. President (The Honourable Sir Abdur Rahim): It lapses.

Inadequate Representation of Mussulmans in Central Services other than Railways.

Dr. Sir Ziauddin Ahmad: Sir, I beg to move:

“That the demand under the head ‘Executive Council’ be reduced by Re. 1’—(To discuss inadequate representation of Mussulmans in Central Services other than Railways)

Sir, before I give the history of the efforts made by us and by the Government of India to redress the grievances of the Mussulmans, I would like to mention the difficult position in which we are now placed on account of the change in policy. There exists at present no joint responsibility in the Viceroy’s Council; every Member is a Governor General of his own department and Sir Girja Shankar Bajpai, in reply to a question, gave us to understand that the Secretary is the Governor General in Council

Sir Girja Shankar Bajpai (Secretary, Department of Education, Health and Lands): I never said that.

Mr. N. M. Joshi (Nominated Non-Official): When did he say that?

Dr. Sir Ziauddin Ahmad: In connection with suppression by Mr. Dixit. I would just like to point out how we suffer and how the representation of Mussulmans has suffered by this particular change. Before I give the House definite illustrations, for the sake of convenience I should like to define the words communalists and nationalists, and I would ask my friend, Sardar Sant Singh, to take note of my definition.

Sardar Sant Singh: I am writing it.

Dr. Sir Ziauddin Ahmad: A communalist is a person who attempts to do justice to Mussulman; and a nationalist is a person who in showing favour to Hindus does positive injustice to Mussulmans. These are the definitions of communalist and nationalist

Bhai Parma Nand (West Punjab: Non-Muhammadan): Can you give us an illustration who are nationalists?

Dr. Sir Ziauddin Ahmad: Yourself.

Mr. N. M. Joshi: What about an internationalist?

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on.

Dr. Sir Ziauddin Ahmad: The same—yourself. Sir, this definition has been universally accepted by the British Government in India, and the Honourable the Home Member will verify from the Service Books of several officers that every official who appoints any Mussulman or writes notes in favour of Mussulmans is at once dubbed as a communalist, and

this fact is entered in his Service Book. I ask the Honourable the Home Member to say whether I am right or wrong. From the definition it follows that Mussulmans are communalists and Hindus alone can be Nationalists.

I am now coming to a department which is presided over by two nationalists. The Muslim Rights Protection Board at Lahore sent a memorial about the grievances of the Muslims in this particular department and, particularly, in Archæology to His Excellency the Viceroy. The memorial was sent to the Governor General of the department and a deputation of the Muslim League waited on the Member in charge who promised to look into the figures which were supplied to him. Three months have passed and no reply has been given in spite of repeated reminders, because there is no reply that can be given at all. Sir, the other respect in which we suffer is this. Before now, the Muslim Member in the Viceroy's Executive Council looked after the Muslim interests and he gave friendly advice to his colleagues in camera. Now, any interference on the part of the Muslim Member is resented and is taken as equivalent to interference in a foreign administration and, therefore, he has no hand in the matter as his predecessor used to have. I seek the advice of the outside world what we should do in the unfortunate position in which we are now placed,—the nationalists sitting tight; the Congress remaining neutral; the Treasury Benches terrified by threats of resignation and fasts, and ready to sacrifice all their friends and supporters; our own representative in the Council not being able to intervene as it will amount to an interference in a foreign government; His Excellency the Viceroy not using his special responsibility for the protection of minorities; Mr. Jinnah not understanding British because there are only two persons in the world who have understood the British, one Herr Hitler and the other is Mahatma Gandhi, and they make the British act as if they are hypnotised. I give an illustration of the way in which we are suffering. The Mussulmans had been pressing since 1926 that a Muslim be appointed as Secretary in any department of the Government of India. We repeated our demand before His Excellency the Viceroy, Lord Willingdon, that one of the Secretaries should be a Muslim. I have a letter from Mr. Mieville in my possession in which he said that His Excellency would consider the matter. We understood that Sir Frank Noyce's successor would be a Muslim and his name was also mentioned. but we found to our great surprise that no Muslim was appointed. Then I reminded His Excellency and I got a reply from Mr. Mieville that His Excellency had hoped that a Muslim would be appointed at that time, but on account of the very strong and persistent representation of the Member in charge, who himself was a Muslim, His Excellency could not refuse his request.

Sardar Sant Singh: What department?

Dr. Sir Ziauddin Ahmad: Nationalists department. Coming now to the past history, in 1923, the Government of India for the first time recognised that some measures were called for to prevent a preponderance of any class or community in the public services in the country. This recognition was followed up, two years later, by a declaration in this House that one-third of the vacancies in future would be reserved for all the minority communities taken together. In practice, minority included Sikhs, Christians, Anglo-Indians and even Parsis but not Muslims. The

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next step taken by the Government of India in this direction was in the year 1934 when a definite quota was fixed for the recruitment of the Muslims and other minority communities in the services under the Central Government. This House is aware that one of the points established in the review of the position to which the Resolution of the Government of India alludes was that the Muslim community was not responsible for the failure of the Government's policy to secure their adequate representation. Once it is established that a certain policy has failed in its object and also that the Muslims are not responsible for this result, it becomes the moral responsibility of the Government of India to take special measures to redress the past deficiency of the Muslims in Government services. Our complaint is that the Government of India have failed to discharge their responsibility. The Resolution of 1934 gives to the Muslim community 25 per cent. share, only in the future recruitment; it took no account to make good the existing deficiency of the Muslims, and it was silent about promotions and it excluded technical appointments. The result was that ordinary posts became technical and new recruitment was stopped in upper subordinate and officers ranks. I will try to calculate the period of time which it will take before the Muslims will get their 25 per cent. and I think Sir James Grigg, being a mathematician himself, may be able to help me, my solution has failed and I request him to give me a helping hand. It is well-known that the normal wastage in a cadre is in the neighbourhood of four per cent. per annum. A cadre consisting of, say, 1,000 persons there will be only about 40 vacancies in the year. Out of this, certain vacancies are reserved for promotion and for technical posts which invariably are filled up to the detriment of the Muslim candidates. Of the remaining posts, one-fourth is reserved for Muslims, and the result is that in a cadre of 1,000 the Muslims can hardly secure more than five new admissions, and if we deduct the number of the Muslims who go out on account of retirement, death and dismissal, the proportion is reduced to an infinitesimal number, and it is very difficult to calculate the number of years before the 25 per cent. is fully taken up. In this calculation there is one factor which I cannot get over, and that factor is what the mathematicians call the point of discontinuity. I do not know whether it is a pointwise discontinuity or total discontinuity, for I do not know on what date the administration will become discontinuous by the Government handing over the country and their friends to Mahatma Gandhi and get ready to sail from this country. I think Sir James Grigg is probably the only person who, from his knowledge of this side of India as well as the other, may be able to tell whether this discontinuity which I have mentioned is pointwise or total.

In the Government of India Secretariat the rights and claims of Muslims are so openly disregarded that the Muslim employees have begun to feel that they have no rights or claims whatsoever. In the Labour Department, there is only one Muslim out of 12 gazetted officers. In Commerce, there are 17 gazetted officers out of whom not even one is a Muslim. In fact, no Muslim officer has ever been appointed in this department. There are 12 officers in the Central Board of Revenue, including officers on special duty, and all of them, without exception, are non-Muslims. The three posts of Superintendents and senior assistants that fell vacant in this office have recently been filled up by non-Muslims from other departments although Muslims in this department were duly qualified for the same. I wish to draw particular attention to the unfair

treatment accorded to the Muslims in the Department of Education, Health and Lands and its attached and subordinate offices. In the department proper there has been no Muslim officer for a considerably long time. Recently the post of Joint Secretary, and of two other secretaries, and one of Educational Commissioner have all been filled up by non-Muslims, and out of a superior staff in the department of ten officers five are Hindus and five are Europeans, and there is not one Muhammadan. Formerly, there was one Muslim Superintendent, but now there is not one Muslim out of the five Superintendents. This is Bhai Parma Nand's department. The Authorities of the department have consistently and systematically ignored the claims of Muslims not only in the selection and appointment of superior officers but also in promotions among the staff.

In the matter of grant of extensions of services and selection for posts carrying special pay, I am prepared to give specific instances of injustice done to the Mussalmans in this department. But I do not wish to waste the time of the House over details. Suffice it to say that every Muslim in this department is found to be inefficient, just when the turn comes for promotion, and it is not strange that there should not be a single Muslim in the staff of the department to hold even a junior post in the cash branch which deals with establishment matters, or in fact, any post in any other branch carrying additional emoluments. That is a fact. No Mussalman was ever given a post from which he could rise or in which there is any additional emolument whatsoever in this department which is presided over by the colleague of my Honourable friend, Sardar Sant Singh.

Sardar Sant Singh: Who is my colleague?

Dr. Sir Ziauddin Ahmad: Nationalists.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Are you a nationalist?

Dr. Sir Ziauddin Ahmad: I am not, but you have the seal of a nationalist and you call yourself Congress Nationalist.

While the Government of India have been issuing orders to secure an increase in the representation of the Mussalmans, their proportion in this Department was substantially reduced, in flagrant disregard of the claims of Mussalmans and other minorities in the Department of Education, Health and Lands, its attached and subordinate offices and it has now become a scandal. I do not want to quote the example at present of the Archaeological Department which requires special consideration, I call it a department of *Kafan Chores* and this for two reasons. Firstly, its association with a story, I don't remember whether it is in the Arabian Nights or elsewhere. There was a king who had a special mentality. He always did the exact opposite to the advice given to him. He was advised to fill the office of Prime Minister with a person who may be learned, belong to higher profession. He said 'No, I must give it to a person who follows the meanest profession in the territory' and he gave the appointment to a *kafan chore*. He told him 'You must raise the status of men belonging to your class, so that they may acquire a position in the world'. There

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was a neighbouring king who found that this territory was ruled by *Kafan Chores*. He attacked him and changed the system of burying dead bodies which were disposed of in other manners, and, thus, ended the professions of *Kafan Chores*. Secondly, this Archæological Department was started to preserve ancient monuments. This department pays now very little attention to the edifices above the earth and they now take great care in finding what is inside the earth and, therefore, I do not think it is inappropriate to call it a department of *kafan chores*. I do not deal with it at length to day as I have very little time but I shall do so later on.

Then I take up the Medical Department. This office is not also without its tale of woe. The proportion of Muslims is maintained, if at all, by employing Muslims in temporary vacancies and then getting rid of them. Recently the post of office Superintendent was created and some able and senior officials of the Secretariat applied but a junior Hindu was taken. It is not known why Muslims, even with brilliant records, are not considered fit for superior appointments in the Secretariat. If the Government will care to inquire into the relative merits of the applicants for the post of Office Supervisor in the office of the Director General, I. M. S., they will find little justification for appointing the present incumbent. A Muslim was appointed as a Deputy Director General, as a sop, because the claims of a Muslim for the Post of Director General of Archæology was overlooked. The Muslim Deputy Director General had held office only for six months and then he was sent away. The Medical Research Department which is under the administration of the Department of Education, Health and Lands, through the Director General, has not a single Muslim officer out of 30. There is only one Muslim in the office of the All-India Institute of Hygiene and Public Health. There was a vacancy in the post of Assistant Professor of Bio-Chemistry and Nutrition and a Hindu, with lesser qualifications, was appointed. Again the post of Deputy Director of Public Health has recently been filled up by a Hindu although suitable Muslim Officers were available for the post. I can go on narrating such stories the whole day but time does not permit me to do so.

Now, I want to suggest what the Government ought to do. The Government of India recognised that the shortage of Muslims is not due to the fault of Muslims alone. I want them to consider whether the circular of 1934 has proved sufficient to fill up the deficiencies. Government ought to have a departmental inquiry of their own to find out whether this circular has done real good to the Muslims. The suggestions are (1) Instead of fixing 25 per cent. in first recruitment, they ought to fix a time limit, say, ten years, within which the Muslims ought to get their full 25 per cent. The percentage of recruitment should be fixed in a manner that we get our full quota in ten years, otherwise, it will lead to an insoluble problem. (2) The Home Department should see that after the resolution of 1934, how many departments have stopped direct recruitment in upper subordinate and gazetted ranks. It should also see to the increase in technical appointments. After 1934, this is my third suggestion that in the interest of efficiency I suggest that not more than 50 per cent. of the places should be reserved for promotions and the remainder for direct recruitment. Suppose there are 100 vacancies and X is the number of Muslims appointed by promotions then the number that ought to be appointed by direct recruitment is 25-X and the total may be 25 per cent.

(4) The new rule which they have introduced in the railways and post offices to fill up even the posts of the lower gazetted officers rank by means of promotion from peons and chaprasis should be stopped. There is a growing tendency in these two departments to promote chaprasis and peons to the lower subordinate grade to evade the Resolution of 1934. An educated person (matric or higher) is appointed as chaprasi and as soon as possible promoted to the rank of a lower subordinate post as no reservation exists in promotion and the first appointment of chaprasis. I don't object to such promotions, but I insist that in such cases the appointment should be considered as first appointment. They have directly stopped fresh recruitment in upper subordinate grade and gazetted rank and indirectly in lower subordinate grade. New recruitments are being stopped and every thing is pulled up by promotion. To avoid evasion the Government of India resolution should be modified. We have waited too long. Our patience is exhausted and if nothing is done, we will be forced to act. With these words, I move.

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

"That the demand under the head 'Executive Council' be reduced by Re. 1."

Mian Ghulam Kadir Muhammad Shahban (Sind Jagirdars and Zamindars: Lanholders): Sir, the position of Muslims in the Departments under the control of the Communications Department is no better than in the other Departments of the Government of India; but the paucity of Muslim representation becomes all the more serious when it is realised that all these Departments are growing ones and of considerable importance. We discussed the question of inadequate representation of the Muslims in Railway services only two weeks ago and the position in the other Departments of Communications is equally unsatisfactory. Taking first, the Department of Civil Aviation, it is regrettable to note that there is only one Muslim Gazetted Officer employed as Aerodrome Officer; while there is not a single Muslim Ground Engineer. The Civil Aviation Directorate is a preserve for Europeans and, unless more higher posts are given to Indians and steps are taken to equip them as early as possible for these posts, India will not be able to face the danger in time of war. Again, Sir, the Aviation Department gives certain scholarships for training candidates for commercial and other branches of Aviation. There will be hardly one case, out of many, where such assistance has been given to a Muslim. While it is recognised that the Muslims, economically, are not as well off as the other communities, this can be a greater reason for assisting suitable Muslim candidates for such training, whereas other communities can provide men who can afford the training. So far as I remember, the Honourable Sir Thomas Stewart, in reply to a question, promised to give more scholarships to Muslims, but, unfortunately, his promises are not yet materialised. Special steps should be taken by the Department to ensure that the Muslims are properly assisted, by special scholarships if necessary, to fit them to hold their proper share in the superior appointments in the Directorate.

Taking the Department of Meteorology, there is only one Muslim employed in a superior post. The Muslims are not backward in scientific education now, but still we suffer; and, unless steps are taken to recruit Muslims in larger numbers than the Home Department's circular regarding the representation of minorities warrants, it is feared that Muslims

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will never get their proper share in the higher services for many decades to come.

The Department of Communications controls the major ports, which are semi-independent bodies like the Company Railways. While the Government have used their influence with the Company Railways to ensure that seventy-five per cent. of the superior posts on the Company Railways are Indianized, and that the Muslims and other minorities get their due share of these in the same manner as prescribed for Government Departments, similar action has not been taken in regard to Port Trusts. There is hardly a single Muslim employed in any of the superior posts in any Port Trust. We claim that at least the Chairmanship of one of the Port Trusts should be given to a Muslim, when the next opportunity arises, and that the Port Trusts should be required to give proper representation to the Muslims in their superior and inferior services and to follow the Government ratios in this matter. It has been possible for the Government to do so in the case of Company Railways similarly situated, and I see no reason why this cannot be possible in the case of Port Trusts. After all, the Government controls the Port Trusts in many matters and has influence with them. That influence should be used to ensure that Muslim representation in the services of the Port Trust is adequate.

Turning to the Department of Broadcasting, Sir, I find that on the Engineering side Muslim representation is very inadequate, and barring the Chief Engineer, the rest of the important posts in this organization are held by members of only one community. Naturally, the Muslim interests suffer and I would suggest to my friend, the Honourable Member for Communications, that one or two Muslims should find a place on the Selection Committee that may be appointed to select persons for these posts so that Muslim interests are safeguarded. I would like to mention that there is not a single Muslim Station Engineer. There are young Muslim engineers qualified to hold these posts, but they are kept out in one way or the other. In the All-India Radio Department, there are only eight Muslims out of eighty engineers and technical assistants working in the engineering branch of the Department. Every day exemptions are applied for on flimsy technical grounds to provide non-Muslims in the Department. It is only the non-Muslims who possess technical qualifications for the engineering service of the All-India Radio Department and he must, therefore, get an exemption from the general rule of recruitment. What an irony of fate!

Turning to the most important Department under the control of the Communications Department, *viz.*, the Posts and Telegraphs Department. I would only refer to the number of questions asked in regard to Muslim representation and the various speeches made on different occasions by Muslim Members. It is a patent fact that Muslim representation in the superior as well as other services in the Posts and Telegraphs Department is very inadequate. Judging from the list published by the Department, in a year or so, we would not have a single Muslim as Post Master General. There is only one now who will shortly retire. The number of Muslim Deputy Post Masters General is also very small, and complaints have been made both in the Press and in this House of the manner in which it has been devised so that interests of Muslims are injured. Taking the office of the Director General himself, there is not a single Muslim officer holding any of the higher posts, and unless special steps are taken

to remedy this defect in the higher rungs of the service, and that, too, soon, we will find that there will not be a single Muslim officer holding any senior post. If it has been possible, Sir, in the past to import officers from the Indian Civil Service and other sources to fill higher posts in this Department, it should be possible now, when a suitable opportunity occurs, to import from other Departments and from the Indian Civil Service, Muslim officers suitable to fill these posts. The other day a question was raised about the incompetency of a certain Post Master General. The Mussalmans of high qualifications in the Civil Service grade are present, and they are willing to join the Postal Department. Special situations require special steps, and, unfortunately, the Member for Communications has been very slow to recognise this fact. He is a man of peace and does not want to go out of his way to remedy things which would require some trouble and some departure from the beaten track. The Director General has not shown, in the past, any keenness in removing these defects, and we would urge upon the Government to take stock of the position and of the serious agitation in the Muslim community over this matter and to take early steps to remedy the shortcomings.

Turning to the lower ranks, the Director General has devised a new method for selecting subordinates for promotion as Superintendents of Post Offices, which is calculated to keep the Muslims out. Proposals have been accepted by the Government without realising their effect on the minority communities. In this particular matter, the rules are so devised that seldom will a Muslim have a chance. If there is an open competition, Muslims are prepared to take their chance, but the method adopted is liable of abuse to the detriment of the minority community. That the fears that we have are genuine, would be proved by past experience and we are frankly apprehensive of the future. Taking the technical side of the department, the engineering side, the position is as bad and we urge upon the Government to depart from the Home Department circular limiting recruitment of Muslims to 25 per cent., which would not give the Muslims their due share for even a century. These orders must, under the ordinary circumstances, go and be replaced by fresh orders which would ensure that the Muslims attain their proper representation in all classes of service in this Department within the shortest possible period.

One aspect of the question of Muslim recruitment which we feel very strongly is that as soon as the Government of India issued their circular reserving a certain number of posts to be directly recruited by minority communities, there has been in most departments, which are influenced largely by members of one particular community, a tendency to stop direct recruitment and limit it by promotion from lower rungs. This policy has been cleverly devised, as in Railways, at the cost of efficiency, to deprive the Muslims of getting their share in the comparatively higher posts. The tale is the same whether it is the Railway Department or the Posts and Telegraphs Department. Formerly, upper subordinates were recruited direct in the Posts and Telegraphs Department and this has been limited considerably now with the result that most of these posts will go to one particular community by promotion and that Muslims will find a place in the lower rung of the ladder. We demand that direct recruitment to the upper subordinate grades in the Department should be re-opened and percentage of such posts should be reserved for Muslims. Only in such manner it would be possible to give the Muslims their proper share in the

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services. Otherwise, we would have the same old story, which is so familiar, repeated again, where the percentage of Muslims is shown rather high because there is quite a large number of Muslims employed as peons, orderlies and daffries. Now, the percentage of Muslims in the total strength of a department could be shown to be adequate by taking only the most low paid clerks into account. Stoppage of direct recruitment to these intermediary posts has been brought about on the plea of administrative inefficiency but it is a strange coincidence that this great regard for efficiency should have synchronised with the issue of order for reservation of posts for minority communities. I daresay that there have been motives other than pure regard for administrative efficiency behind this measure which must go.

The grade of the Appraisers of the Customs Department may be compared with that of the Superintendent of Post Offices and Railway Mail Services and those of the Preventive Officers with the Inspectors of Post Offices and Railway Mail Services, etc. If only ten per cent. of the posts of Appraisers is reserved for the departmental candidates (that is, Preventive Officers) and no such reservation of Preventive Officers posts for clerks of the Customs Department, why 50 per cent. posts of the Superintendents of Post Offices and Engineering Supervisors of Telegraphs should be reserved for internal promotion. If reservation is at all necessary, it must be on the line of the Customs Department, that is, ten per cent. and not 50 per cent. There is no reservation as far as the posts of the Sub-Inspectors of Police and clerks of the Police Department are concerned. It is not understood why 50 per cent. of the clerical posts in the Posts and Telegraphs Department should be reserved for postmen and packers, etc.

The Honourable Sir Thomas Stewart (Member for Railways and Communications): Sir, my Honourable colleague will deal with this debate when it comes to an end. I have no doubt that he will find it very difficult to deal with the rather omnibus accusations that have been made and I wish to assist him by intervening for a few minutes in order that I may refer to some of the departments which are under my control. In the first place, I should like to make it quite clear that I do not feel that I am committed to any such promise as my Honourable friend, Mr. Shahban, put in my mouth. I can recollect no occasion on which I gave a categorical promise that I should give more aviation scholarships to Muslims. I have no memory of having done so, and I think it is exceedingly unlikely that I should ever have signed a blank cheque of that sort. One of his complaints against the Civil Aviation Department was that we had steadfastly turned our faces aside from Muslims and had refused to appoint them as Aerodrome Officers or as Ground Engineers. Now, let me make it quite clear that it is not the Communications Department which makes these appointments. All candidates for appointment to these posts have to go before the Public Service Commission and if Muslims of the requisite capacity and ability do not present themselves before the Public Service Commission with a view to appointment, that is no reason why the Communications Department in particular and the Government of India in general should be blamed. As a matter of fact, when one considers the number of people who are interested in civil aviation, as judged from the number who succeed in getting pilots' licences, one significant feature is

that the number of Muslims who have interested themselves in getting pilots' licences is extraordinarily small.

Sardar Sant Singh: Can you appoint Muslims without pilots' licences in order to give the requisite percentage to Muslims?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot have any further debate. The Honourable the Communications Member is speaking.

The Honourable Sir Thomas Stewart: The principle that I am prepared to follow in this matter is not to appoint to any post, requiring particular skill, some one who is wholly unqualified to carry out the duties of the post. The same complaint was also made in regard to the Meteorological Department, namely, that there is inadequate representation of Muslims. Here, again, I must point out that we recruit to this Department through the Public Service Commission. If Muhammadans of the requisite qualifications are not forthcoming or do not present themselves to the Public Service Commission, then, again, we can accept no responsibility. A plea was put forward that in regard to selections for the Broadcasting Department, there should be Muslim representation on the Selection Committees. Well, we recruit in two ways. For the superior posts, we recruit through the Public Service Commission and as regards these the same arguments that I mentioned in connection with the Aviation and Meteorological Departments apply. For some of the less important posts we have local Selection Committees, and these, invariably, have Muslim representation on them.

More important, perhaps, were the criticisms that were offered to our conduct of recruitment in regard to the Posts and Telegraphs Department and I cannot reply with any hope of convincing anybody by merely saying that the Honourable gentleman is wrong. But I would ask the House to bear with me while I give the defence which is at my disposal. The best of all defences is to quote the actual figures of what we have been doing. So far as recruitment of the gazetted staff is concerned, since 1933, out of 26 gazetted officers recruited, six have been Muslims, which is approximately 23 per cent.

Dr. Sir Ziauddin Ahmad: How many of them were promoted?

The Honourable Sir Thomas Stewart: I cannot tell you how many were promoted.

So far as the non-gazetted superior staff is concerned, the number recruited in 1933 was 335, out of a total of 1,161. In 1937, 12 Noon. the number had risen to 463. Since 1932, the proportion of recruitment has risen from 25·7 to 28·2 per cent. As you know, Sir, our contract, as it were under the 1934 Resolution is 25 per cent. The House may not be so much interested in the inferior staff. But the same phenomenon reveals itself in regard to this. Between 1932 and 1937, the proportion of recruitment has risen from 22·8 per cent. to 29·8 per cent. Again it must be remembered that 25 per cent. is our contract. My Honourable friend, Dr. Sir Ziauddin Ahmad, has enquired at what period of time will this process of recruitment result in adequate representation, all-over representation, of Muslims in the services. In the course of an interruption, he suggested to me a few days ago that it might

[Sir Thomas Stewart.]

take 100 years. The actual fact is that between 1934 and the present time, there has been an increase of one per cent. I think it is highly likely, if that rate of progress continues, that perhaps within the next ten years the proportion of 25 per cent. may be reached. That I only suggest as a possibility; it must not be taken as a promise.

Again, in this debate, as in another one with which I had to deal some days ago, it was perfectly obvious that what was in the mind of the critics of Government was not the cake itself but the plums. I think that in his desire to prove that his part of the cake had no plums in it, my Honourable friend, Mr. Shahban, went somewhat off the lines. He suggested that in the superior directorate of this department, there were no Muslims. The fact of the matter is that there are two out of 18. He also complained bitterly that we had excluded Muslims from a rather attractive branch of service,—the wireless operators and Engineering Supervisor grades. That is the stage at which recruitment is made for the higher Engineering posts. The officers that we recruit for these posts are charged with the care and maintenance of very elaborate and very expensive machinery. I should be reluctant to allow just anybody to be taken on for that work; I do not care whether he is a Muslim or a Hindu or an European, I would not take him on unless I was certain that I could entrust to him, with confidence, the charge of this elaborate and expensive machinery. It may be an unfortunate fact, but it is, nevertheless, the fact that there has not been coming forward the requisite type of Muslim candidates who can pass even the qualifying examination that would entitle him to appointment.

To conclude, I should like to refer to one other matter. Criticism has been made, the suggestion has been made, that in making our recruitments, and in fact in our entire administration of the department, considerations other than efficiency have been present in our minds. These criticisms have, inside this House and outside, been directed towards the Director General of Posts and Telegraphs. In conclusion, I should like to read the concluding sentence of an answer that we gave some time ago to one of these criticisms of our administration, with special reference to the Director General: The representations:

“.....appear to give the impression that the Director General and his department have been actuated by a desire to do less than justice to the Muslim community. The Government of India must repudiate any such suggestion in the strongest terms. In all his actions, the Director General has scrupulously carried out the orders of Government and the instructions he has issued have been in full conformity with Government's policy and have been issued after such consultation with the Government as was necessary.”

These were our views some six months ago, and these are equally our views today.

Mr. N. M. Joshi: Sir, sometime ago the question of representation of minority communities was discussed, during the discussion of the Railway budget and, when I spoke on that occasion, I made it quite clear that I had the fullest sympathy with the claims made by the minority communities that they should be represented in the Government services in accordance with their proportion in the population. I also stated on that occasion as my view that I would like not only the Muslim community but the other minority communities to reach their proportion at the earliest time. I shall not oppose any measures which the Government of India may take in order to secure that object. Sir, this is necessary not only in the interest of the

Muslim community, not only in the interest of the minority communities, but also in the interest of the country. A good deal of the energy of the people who should engage themselves in better kind of work is spent in this kind of work, in finding out jobs for people in different communities. Sir, this question is being discussed in the Legislature for many years. I remember that it was discussed many years ago and then I made the suggestion to the Government of India that they should publish an annual report on the employment given by them to different communities in different departments. I know there are some departments such as the Railway Department and the Postal Department which give some figures in their annual reports as to the different communities which have been employed in their departments. But, Sir, even those departments do not give really sufficient information. If a certain community does not get its due proportion in the Government service, the department should give an explanation as to why that was not done. If certain departments are being overmanned by some communities, again that department should give an explanation as to why that was being done. The Honourable Member in charge of Communications just now stated that in certain posts, the requisite number of Muslim candidates with the proper qualifications were not available. That may be true. But this does not satisfy the community. It is, therefore, necessary for the Government of India to publish a detailed report stating what the present position is, what the past position was and if certain communities were not getting justice why those communities were not getting justice. Let this information be given department by department. Let this information be given for the military department and for the civil departments. It may be that if full information is given, it may be found that certain communities get more than their share in certain departments. That would be a good explanation if their representation in certain other departments is smaller. I, therefore, suggest to the Government of India that in the interest of the public, in general, they should publish a detailed report of the employment given by them to different communities and the report should be as detailed as they can make it so that, if there is a discussion in the Legislature, the discussion will be based upon facts and not upon mere general statements. Sir, I should like to say this because it is quite possible that if the facts are made clear the minority communities will be able to remove certain defects if their inadequate representation is due to those defects. Personally I feel that if the Muslim community will devote somewhat greater attention to education than they do some of their complaints will be removed earlier.

Dr. Sir Ziauddin Ahmad: They have got enough educated men.

Mr. N. M. Joshi: Sir, I have got quite as much experience as Sir Ziauddin has got. I do some amount of work and my work is done among a class of agitators. Even there I feel the paucity of Muslims. I want a large number of Muslims to be educated and to be able to take part in the labour agitation, and I find it difficult to get them. I believe that if an appeal is to be made to the Muslim workers, it can be better made by a Muslim than by a Hindu.

An Honourable Member: You want us to follow you?

Mr. N. M. Joshi: I am not asking you to follow me, but I do say that there are some classes of public work where we need Muslims very badly, and one of these classes of work is agitation for the improvement of the

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working conditions of the workers in this country. There are a large number of Muslim workers in Bombay; about one-fourth of the textile workers in Bombay are Muslims, but we do not get a sufficient number of Muslims who will agitate on their behalf. I feel the inadequacy and the difficulty also. I quite see that if I get a Muslim to make an appeal to Muslim workers, we shall succeed much better. Therefore, I would suggest to my Honourable friends in the Muslim community ~~that they~~ should give greater attention to education. There are, at present, at least four provinces under Muslim ministries.—Bengal, Punjab, Sind and the North-West Frontier Province. Let at least these Governments, if not the others, devote all the resources which they can command to educate the Muslim youths and children so that the inadequacy and paucity which we feel, not only in Government service but everywhere, may be removed. Sir, unfortunately, some of my Honourable friends are not interested in the expansion of education, and I know quite well why. If the community, as a whole, is educated the monopoly which at present some people enjoy will not remain with them and, therefore, they do not agitate for education. They only agitate for reservation of certain posts. It is a mistake. Similarly, they are getting into another difficulty. They say that people from the lower ranks should not be promoted to the higher ranks in larger proportions.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Who says that?

Mr. N. M. Joshi: You are asking for a larger proportion of direct recruitment. Why? Why should not the young men who are employed on the lowest rung of the ladder rise to the highest posts in the department? There comes the question of class interest. Somebody says that people who are appointed as chuprassies should not be promoted to the post of clerk. Why? Because the chuprassies come from the working classes and our friends of the middle classes do not like that the sons of the chuprassies should be raised. They say they do not want direct recruitment because if the sons of clerks become officers that is also not liked by some people. Sir, it is wrong. Let them educate the community, spend as much money as they like, ask for any special opportunities they want for education of the children of their community. But it is wrong to go on making some demands which do injustice to certain classes in their own community. Why should not the sons of chuprassies rise? Why should you insist that the posts of clerks shall be given only to children of the educated classes? Why should you insist

Sir Muhammad Yamin Khan: There is no such prejudice among Muslims.

Mr. N. M. Joshi: Then you need not bother about whether people are promoted from below or taken by direct recruitment.

Sir Muhammad Yamin Khan: You do not understand it.

Mr. N. M. Joshi: I understand it quite well. What you should say is that you should have a sufficient number of men. It is not your concern whether the men appointed in the higher grades are promoted from the lower grades or appointed direct. I can understand your insisting upon Muslims being appointed in every grade.

Dr. Sir Ziauddin Ahmad: Twenty-five per cent.

Mr. N. M. Joshi: I can understand your demand that in every grade you must have a sufficient number of your own community, but if you insist that people should be taken by direct recruitment, it is a sign of your class interest, I shall oppose it at every stage.

Sir, I do not wish to take up any more time of the House but I would again repeat my request and appeal to the Government of India to publish annually a detailed report as to the employment given by different departments of the Government of India to the various communities of the country.

Mr. Nabi Baksh Illahi Baksh Bhutto (Sind: Muhammadan Rural): I would like to touch in my speech only few departments which have been left out by previous speakers; I take up Political Department.

There are six officers above the rank of Superintendent. Out of these three are Hindus and none Muslim. Out of these Hindu officers one has been in the department for the last ten years, although the usual tenure of service in the department for Political Officers is three years. Apart from other considerations this practice of allowing an officer to serve in the same post in a department of the Government of India is wrong in principle. The term of service of another Hindu officer has also been extended by another year.

Out of eight Superintendents in the department five are Hindus, and none Muslim. This overwhelming preponderance of Hindu officers has resulted in a proportionate increase in the number of Hindus in the ministerial establishment. The Muslim members are very unjustly treated, and various devices are adopted for suppressing them. Certain posts have been declared technical, while certain other posts have been treated as outside the general cadre. This has provided a back door for the appointment of unqualified Hindus direct to the Political and External Affairs Departments; and it is a favourite method adopted in the departments for evading the orders laid down in the Home Department resolution, dated the 4th July, 1934. In the Political Department no Muslim has been appointed as a permanent Assistant, since 1934, although about ten vacancies have occurred since then. Two permanent Muslim Assistants have been recently transferred from this department to the External Affairs Department. The result of these will be that in a few years there will be no senior Muslim Assistant in the Political Department, and there will be a block of about ten Hindu Assistants. For years to come, therefore, there will be no chance for a Muslim to become a Superintendent in the department.

Similarly, in the Second Division, the senior Muslims who had a chance of promotion to the first division have been transferred to the External Affairs Department on its constitution into a separate department. The result is that even very junior Hindus in the Political Department are officiating in the First Division; and among the ten temporary Assistants nine are Hindus and only one Muslim.

The Joint Select Committee on Constitutional Reforms recommended that the Political Service should remain under the External Affairs Department. The Hindu officers of the Political Department of the Government of India, however, wanted to keep control over the posts on the North-West Frontier, in which there are chances for Muslims, and the recommendation of the Joint Select Committee has not been accepted.

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All these things are happening in a department which is directly under the control of His Excellency the Viceroy. The matter is, therefore, of greater regret than it would have been otherwise.

This is one of the most important departments at present. The policy recommended by this department is of vital importance to the Muslim community; it is not merely a question of providing a few jobs to Muslims. In this department, out of four gazetted officers, two are Hindus and none Muslim; and at one time, when His Excellency Lord Linlithgow went on leave last summer, all the four officers employed in the department were Hindus. It is, therefore, not a matter for surprise that the policy of Government in regard to constitutional matters has, of late, veered heavily towards the Hindu community and the rights and interests of Muslims have been absolutely ignored.

In the Home Department there are seven officers, of whom two are Hindus and none Muslim; and out of the six Superintendents there are, at present, three Hindus and none Muslim.

One of the special responsibilities of the Governor General, under the Government of India Act, 1935, (S. 12), is to safeguard the legitimate interest of minorities. This includes, according to the Instrument of Instructions to the Governor General, the securing of a due proportion of appointments in the services to the several communities. A glance at the Government of India Directory, however, shows that very few gazetted posts in the Secretariat are held by Muslims, while a disproportionately large number are held by Hindus (mostly of Bengal and Madras). It seems that Indianization of services has been interpreted to mean appointment of Hindus. It is a matter of very great regret that the departments directly under His Excellency's control do not possess a single Muslim officer, namely, the External Affairs Department, the Political Department, and the Reforms Office. These Departments, in view of their direct connection with His Excellency, should be models of communal equity and impartiality to other departments. In the External Affairs Department there are four, and in the Political Department, eight Indian officers (including Superintendents). All of them are Hindus. In the Reforms Office there are at present four Hindu officers (above the rank of Superintendent) and there is no Muslim in the Department of Industries and in Labour and Commerce also there is no Muslim officer.

The work done in the Reforms Office, in particular, is of vital importance not only to the present generation, but also to the future generations, of the Muslim community. As long as the late Mian Sir Fazl-i-Husain was a Member of the Executive Council of the Governor General all the officers in that office were British; and the Secretariat staff sent to England in connection with the Indian Round Table Conference also contained an equal number of Muslim and Hindu officers. This policy has however recently undergone a change, the reason for which is not obvious. The Muslim community will look with the greatest distrust and suspicion at the recommendations of the Government of India in regard to constitutional matters as long as there is a single Hindu officer in the Reforms Office, or as long as there are not as many Muslim Officers in that office as there are Hindus. The terms of the Government of India (Adaptation of Indian Laws) Order, 1937, have already given rise to the greatest dissatisfaction in the Muslim

community. On a cursory glance it appears that the "Central Government" has been substituted in all possible and some impossible places for "Local" or Provincial Government.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Mr. President, Sir, in supporting the motion I only feel and my Party feels that we may be styled communalists by our majority community; but they and the Government should now realise that things have reached a stage when Muslim partnership in the Government of the day should be recognised in the interests of the administration and goodwill of the people ruled and they should be given a due share in the services of the country. We have waited too long for a square deal and though gestures were made but nothing has happened as yet. We began by making demands in the press and making speeches and leading deputations to the authorities from time to time; but though all these were treated courteously they were turned down contemptuously, so far as practice was concerned. It is no doubt unfortunate that, Muslims, whose ideals were by far greater than that of earning their livelihood by slavery, are crying for a proportion of services, but the tragedy of the situation is that even that slavery is being refused to them when they want it. My Honourable friend, Dr. Sir Ziauddin Ahmad, has pointed out the position in the different departments of the Government and I need not take the time of the House in giving a categorical example of the situation as it exists in the different departments, although, I can cite a thousand and one more examples if time had permitted and if Honourable Members were willing to receive deputations or otherwise. I would only point out that the position on the railways is most woeful and I need not dwell on this subject any more as the matter was fully discussed in the cut we moved. Muslim representatives have been doing what they could constitutionally but the position has not improved. Different philologies have been given to the word "efficiency" by different heads of departments, to suit their purposes to debar Muslims from their just demands on the principle of right and not as a mere matter of favour. . . .

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): What is your definition of efficiency?

Mr. Muhammad Nauman: My definition of efficiency is the same as is found in any other dictionary in the world. Now, I want to point out that the position of Muslims in the industries, which are either subsidised or protected otherwise by tariff duties by the Government, is also deplorable. I may point out that the industries are subsidised or protected by the Central Revenues where also the Muslims claim their partnership. These industries are protected at the cost of the consumers which, naturally, includes one-third of the population of Muslims in this country who have every right to claim the same proportion of the interests all over as they have in this country. The mere fact that the managing agencies are entrusted to non-Muslims, certainly, should not give them a chance to ignore the Muslim partnership in their services. I have no time to point out each industry name by name but I would confine myself to the names of a few of the important industries where Muslims are not getting a due share or even a square deal. I would point out the Tata Iron and Steel Works which employ about 8,000 to 10,000 persons in different capacities on daily or monthly wages and the number of Muslims is hardly five per cent. of

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the total and even they are in the lowest cadre of the services. They have got probably no Muslims on a salary of a thousand rupees monthly, whereas their general manager gets 10,000 to 12,000 rupees including the different allowances. My friend, Sir Cowasji Jehangir, who happens to be interested in this industry knows probably more about the actual position than anybody else.

Mr. N. M. Joshi: He is a Director.

Mr. Muhammad Nauman: Then again, Sir, in the Dalmia Cement Company, I know it for a fact that by the consent of the Directors, special instructions have been issued that no Muslim should be employed in their company. I know Mr. Dalmia personally, but that is a different thing, but this is unfortunately the story of the companies that he is controlling. Then I would point out that in the Ahmedabad Cotton and other Mills the position is still more deplorable. A certain section of the majority community. . . .

Mr. President (The Honourable Sir Abdur Rahim): That has nothing to do with the present motion which refers to employment of Mussalmans by the Government.

Mr. Muhammad Nauman: May I point out, Sir, that in the industries protected and subsidised by the Government to any extent, the Government of India should have taken some interest. . . .

Mr. President (The Honourable Sir Abdur Rahim): That would be going too far. It does not come within the scope of this motion. The present motion is about inadequate employment of Mussalmans in the Central Services.

Mr. Muhammad Nauman: My point is. . .

Mr. President (The Honourable Sir Abdur Rahim): That is not in order. It is not within the scope of this motion. The Honourable Member must confine himself to the services under the Central Government.

Mr. Muhammad Nauman: It comes indirectly, Sir.

Mr. President (The Honourable Sir Abdur Rahim): It does not come within the scope of this motion. The Chair has given its ruling.

Mr. Muhammad Nauman: I bow to your ruling, Sir.

Then, Sir, I will deal with the other departments of the Government of India. My friend, Dr. Sir Ziauddin Ahmad, has pointed out how inadequately the Mussulmans are represented in the various departments, but I would deal with the Archæological Department. There were seven Class I officers in this department, of whom the two senior-most have been superseded by a junior Hindu for promotion to the post of Director General, on extremely flimsy grounds, namely, one of them was considered 'unsuitable' for the post and the other was not appointed, being a technical man, although technical men have held charge of much bigger departments and proved successful. Another Muslim officer fell victim to the non-Muslim

clique which is the paramount power. Petty charges were brought against him, and when they were not proved he was removed from service on quite a different charge. Perhaps, the argument against him was: "If you don't commit a crime, there is no reason why we should not punish you". On the other hand, serious allegations against a non-Muslim officer who was found guilty of fraud and misappropriation of Government money some years ago were not even inquired into. The fourth Muslim officer who is a distinguished Architect with European qualifications has not been allowed to cross the efficiency bar and thus his future promotion is stopped. A non-Muslim architect, on the other hand, who received his training at a Bombay school, who has innumerable reports of inefficiency to his credit, earned from many successive Directors General, is duly receiving his increments. The fifth Muslim officer was retrenched when the exploration branch was abolished and the only Hindu officer in that branch was absorbed in the department. No attempt was made to absorb the Muslim officer too in any of the posts that fell vacant due to retirement of officers. The sixth Muslim officer, with European qualifications, has recently been passed over by a junior Hindu at the time of promotion to the post of Circle Superintendent, on the ground that the post of Circle Superintendent is a "selection" post. There has, probably, never been a case in the past of supersession for appointment to this post as promotions to it were always regulated by seniority. The seventh Muslim officer is still untouched, but at the present rate he cannot hope to remain so for long. The increments of Muslim subordinates have been indiscriminately stopped, supersessions have been ordered which are wholly unjustified, the promotion of Muslims has been stopped by the grant of extensions of service to Hindus. They are unnecessarily harassed and oppressed and their good records spoiled by adverse reports. In one case a Muslim subordinate was removed from service, because he had the audacity to point out a case of theft of antiquities committed by a Hindu draftsman.

Capable Muslims, who are juniors, are not given promotions because they are juniors and senior Muslims are debarred because they are "not up to the mark". Muslims with European qualifications, with degrees of Doctorate, are superseded by third class graduates. Muslim graduates are superseded by matriculates, Muslim matriculates are superseded by non-matriculates. This is not rhetoric, but these are painful facts. In November last, a deputation of the Muslim League Party waited on the Honourable Member in charge of this department and placed in his hands a statement of specific instances alluded to above, but he, unfortunately, has not thought it fit to take us into his confidence and to explain his own version of this atrocious treatment.

It is not understood what is the practical utility of the so-called Appeal Rules. In so far as the oppressed Muslims of this department are concerned, these rules are a huge farce. May I ask how many appeals, lodged by Muslims, have been accepted? None, I suppose. A wholesale charge of inefficiency against all the Muslims in this department, their British and Indian qualifications notwithstanding, is rather difficult to swallow. But it is being thrust down the Muslims' throat.

During the short period that the present Director has been the unchallenged master of the destinies of Muslim servants of this department, he has done an incalculable harm to them, and none of them can ever hope, hereafter, to rise to posts of importance, whether gazetted or non-gazetted. Ever since the creation of the department in 1902, the post of Director

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General has never been held by a Muslim. When the turn of a senior Muslim came to be promoted he was superseded by a junior officer, the present Director. All the senior Muslim officers have suffered one or the other set-backs calculated to debar them from promotion either to this post or to the post of Deputy Director. To the post of Head clerks and office Superintendent in this department, no Muslim has ever been appointed, and those who would, in the normal course, have risen to these posts have been 'nipped in the bud'—they have been superseded or their increments stopped so that they became junior to their juniors and can never hope to rise. The last incumbent of the post of Superintendent was a non-matric, and the present incumbent too is a non-matric whose only qualification and experience is that he was a steno-typist, was heavily in debt, and was once found to have drawn his travelling allowance fraudulently. The reason why these qualifications make a good Superintendent in the Archæological Department is that the available senior Assistant happens to be a Muslim.

There is another distinguished officer in the department—the man in charge of the Punjab Circle. A bright future has been secured for him by putting him above a senior Muslim officer with European qualifications. This worthy gentleman has stopped the increments of almost the entire Muslim subordinate staff, and has dismissed or punished, in one form or another, almost the entire inferior Muslim staff such as, peons, chaukidars, Mistries, Malis, etc. There is a rumour that he gets a pat on the back from higher authorities for every activity in this line. This department has lately recruited four gazetted officers and seven subordinates, namely, four clerks, one draftsman, one chemical assistant, one anthropological assistant. All the eleven are non-Muslims. In one case, a Muslim was nominated by the Home Department but he was refused.

Now, Sir, after the Archæological Department, I come to the Reserve Bank of India. What is the position there? We have been making representations after representations for a proper share for Muslims in the Reserve Bank. The Reserve Bank was started not very long ago, it was started only four years ago, and still the quota of Muslims is not to be found there. So what I feel is that in spite of the Resolution of 1934, in spite of the promises held out to us on the floor of the House on more than one occasion, things are going on as before. . . .

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

Mr. Muhammad Nauman: So we strongly feel that the Government has not treated us fairly in this matter. The Government has not been sincere in translating their resolutions and promises in regard to giving adequate representations to Muslims in all these services. I have said in the beginning that it is a tragedy for us that we should be earning our bread by slavery, but, unfortunately, we are placed in this uncomfortable position in this country, because that is the only line open to us, and the tragedy is that, in spite of our having to submit to slavery, we are refused to earn our livelihood by honest means. Unless, therefore, Government seriously take all these matters into serious consideration, and unless they really do something in right earnest to remedy our grievances, probably things will come to a stage where unconstitutional means will have to be adopted. With these remarks, I resume my seat.

Sir Girja Shankar Bajpai: I intervene in the debate for a very limited purpose, and that is to explain the position with regard to the Archæological Survey of India which has been the subject of comment by two Honourable Members who have spoken from the Muslim League Party. You will appreciate that, when we are dealing with a department which consists of gazetted, non-gazetted and menial staff, it is not possible to give a complete account of the stewardship of the head of the department with regard, in particular, to the non-gazetted and menial appointments. I think that ultimately policy and administration both are directed by the superior officers, and I shall, therefore, limit my observations to the gazetted staff of the Archæological Survey of India.

Before I go on to explain the existing position, I should like to refer to one or two individual cases which have been mentioned, in particular, by my Honourable friend, Mr. Nauman. I would like him to reflect on what I say, not because I am animated by any feeling of malice or resentment in this affair, but because it may be that he perhaps has had the facts not correctly presented to him. Now, let me mention one instance. My Honourable friend said that a certain Superintendent in the Archæological Survey of India, a Muslim officer, had been removed from service on flimsy charges. I shall not mention the name of the officer; my Honourable friend knows it. I shall not mention it because my Honourable friend has not done it, and it does not seem desirable to discuss the merits or demerits of individual officers. In this particular case my Honourable friend has been completely misinformed. When the first charge was made against him, the case, because he was a gazetted officer, was referred to the Public Service Commission. The Public Service Commission recommended that he should be given another chance. He was given another chance. And, I do not think I am disclosing or breaking any confidence when I say that, in the face of the opposition of a number of officers, I recommended to the then Member in charge that this particular officer should be confirmed as Superintendent. He was confirmed as Superintendent, but, unfortunately, certain other things came to light with regard to this officer. We held a departmental enquiry; we could not avoid it because that is a statutory obligation under a certain Act of 1850. We did not ourselves take action upon the recommendation of the departmental enquiry; we referred the result of the enquiry to the Public Service Commission, who, again, under the rules have to be consulted in a matter of this kind. And the unanimous recommendation of the Public Service Commission was that this officer should be removed. I hope that my Honourable friend will agree that in the interests of morale and discipline of the public service, we could take no other action.

Mr. Muhammad Nauman: Was any Hindu officer found in a similar position and was he similarly treated?

Sir Girja Shankar Bajpai: I will come to that. I was, first of all, dealing with this case of the Muslim officer to whom my Honourable friend referred. My Honourable friend then asked, was any Hindu officer similarly treated? Again, I shall not mention the name, but a couple of years earlier, when a Hindu officer holding the position of Superintendent was held up to Government for something similar, a departmental enquiry was made in his case also and that officer was dismissed. That, Sir, I hope will satisfy Honourable Members that, in these matters, we have been

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following the procedure which is prescribed for us, and we have been taking the action which in the individual circumstances was indicated as being both desirable and necessary. Then my Honourable friend referred to a certain case, the case of an officer who he said had been superseded for the post of Superintendent. I think I can assure my Honourable friend that there again he has been misinformed. Two officers were appointed to officiate simultaneously in the post of Superintendent. One, unfortunately, did not have a satisfactory report and, therefore, his confirmation had to be delayed, but it was clearly indicated, when subsequently this officer was confirmed, that the delay in his confirmation would in no way prejudice his claims for consideration for a selection appointment later. I hope there again my Honourable friend will now recognise that just action has been taken. Reference was made to an appointment made two years ago, an appointment, that is, to the post of Director General of Archæology. I have answered questions on that subject before and it does not seem to me to be necessary to repeat what I have said in the past. But I will say that it was a selection appointment, and I do not think that it will be fair to the officers concerned if I were to mention their names individually and indicate the reasons why preference was given to one over the others.

Now, I come to the existing composition of the gazetted staff of the Department of Archæology. There are, in all, 15 officers. Of those 15 officers five are Muhammadans. There are nine posts of a position comparable to that of a Superintendent of Archæology; of these nine posts three are held by Muslim officers.

An Honourable Member: What about the other six?

Sir Girja Shankar Bajpai: I am saying there are 15 gazetted officers. Ten are holding posts comparable to that of a Superintendent. Of these six are held by non-Muslims and four are held by Muslims. Of the remaining five, which correspond to the post of Assistant Superintendent one is held by a Muslim and four are held by non-Muslims. The Government of India's decision with regard to direct recruitment is, that in a non-technical department, 25 per cent. of the vacancies shall go to Muhammadans. The fourth vacancy is to be filled shortly, and I can inform the House now that we shall be asking the Public Service Commission, in that case, to give preference to a Muhammadan. As far as we are concerned, I think that the explanation which I have given now of individual cases, as also of our general policy, ought to satisfy Honourable Members that what is required by us of Government is being done faithfully and loyally.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): May I just ask a question? My Honourable friend, Mr. Nauman, dealt with the cases of six Muslims who, according to him, had been improperly treated by the Department of Education, Health and Lands. My Honourable friend, the Education Secretary, in his reply confined himself to three cases only. What about the remaining three? Mr. Nauman's point was that out of the seven Muhammadans six have been too harshly and improperly treated. Does the Education Secretary admit that the allegations made by Mr. Nauman with respect to the remaining three are correct?

Sir Girja Shankar Bajpai: No, I do not admit that. In fact, I am aware only of those three cases with which I have dealt in the course of my reply. I do not know really anything about these three unnamed officers.

Mr. President (The Honourable Sir Abdur Rahim): The Chair would point out that we are not here to discuss any individual cases. It is the grievance of a community that is sought to be discussed by this motion, not individual cases.

Sir Muhammad Yamin Khan: Let me at the outset make it clear to Government and to the non-Muslim section of this House also that the Muslims do not, in any way, press that inefficient Muslims should be taken into the services and given preference over efficient persons.

An Honourable Member: That is what is being done.

Sir Muhammad Yamin Khan: That has never been the demand of the Muslim community. My Honourable friend has made a remark which I will not deal with now, but shall come to it later. Our demand is that the Government, having come to a definite conclusion and laid down a principle, should adhere to it and see that the officers under the Government work properly according to their instructions. There should be no camouflaging in carrying out the spirit of the Resolution of the Government in fixing the proportion for the Muslims in different departments of the Government. In 1923, we found out from figures that the Muslims were really less than three per cent. in the Government services. That opened our eyes and we said that this state of affairs should not be tolerated any longer. In 1923, different procedures were adopted in order to secure fair representation of Muslims but they were defeated by the ingenuity of those who administer the orders. Ultimately, in 1934, it was decided by the Government that 25 per cent. seats should be reserved for the Muslims in direct recruitment. This was a great improvement on the situation that then existed and our demand was that till the time the Mussulmans got their proportionate share in the services, till it came to 25 per cent., they must be given the increased proportion of 33 per cent., so that 25 per cent. may be achieved in a shorter period. My friend, Mr. Som, speaks of efficiency. I say it is the case of "*Andha bante rewari aur apne apne ko de*". The story is that a wealthy gentleman had a Negro servant. He told him to go to his son in the school and give him some sweets. The servant asked the master 'Who is your son? I have not seen him'. The master said: 'Give it to the best looking boy that you see there'. When the boy came back, the father asked him whether he got the sweets. The boy said 'No'. When the master asked the servant to whom he gave the sweets, the servant replied: 'You asked me to give it to the best looking boy. In my estimation, the best looking boy was my own son'. This is the kind of efficiency that my friend wants. When you want a good administrator, you don't want a man who can mix chemicals or, if you want a good aviator, you don't want a man who can make mathematical deductions for such a job. I do not agree to that kind of efficiency. A good pedagogue fit to give lectures or write a good essay may not make a good administrator. For different things you want different qualifications. When the job is advertised by the Public Services Commission, then it is put down there

[Sir Muhammad Yamin Khan.]

that a man must have such and such qualifications, out of which one qualification is particular and according to that qualification, there is only one particular man and all the others are barred out. In the eyes of the person who advertises for that post, there is only one man for that job. We want the Government to see that this kind of thing is not encouraged. If you want a man to be entrusted with a particular kind of work, then see whether he is capable of doing that work and prescribe the qualifications only for that purpose. In the Agricultural and other Departments posts are advertised. Hundreds of people apply but there is only one man who is found fit and all the others are shut out. Our point is 'do not give a chance to those who are working under you to hoodwink the Mussulmans and to hoodwink you and defeat the object of the Resolution'. If you find any one who is not carrying out your orders and trying to make a fool of the people, then you must deal with him very seriously and that can be done with the co-operation of all sections of the House. This subject has been raised in this House from 1923 and one is sick of it. Why is this going on? We do not say that the Mussulmans should get in five or six years what they should get in 15 or 20 years. That is not our case. We only want that if you prescribe a rule that rule must be adhered to and worked in the spirit in which it was framed.

Mr. Joshi made a very good and equitable speech. If Mussulmans demand what they do not deserve, then I won't be with them.

1 P.M. But what is the position here. There are 100 posts out of which 60 are filled by direct recruitment and 40 by promotion. Out of this 60, the Mussulman gets 15 but the Mussulman may not get anything out of this 40 by promotion. So, the Mussulmans get only 15 out of 100, not 25 out of 100. You have got to be careful about this. You will never be able to achieve 25 per cent. unless you see that a certain principle is adhered to in the matter of promotion. If you adhere to any principle, it does not matter much whether the appointments should be by seniority or by selection. If you have it by "promotion by seniority", certainly, Mussulmans will come up some day when they begin to take up their chance and nobody can then say, "Oh, man, he has worked only for three years, and you are giving him preference over a man who has worked for ten years". Certainly not, that is not our case, but we do say that if you choose a man for a higher job and you say that the selection for higher posts is to be made on the merits and not by seniority, then stick to that principle, and do not alter it to seniority when a capable Muslim comes. Choose, however, one principle, and that must be adhered to. When you say that the higher jobs will be given by selection, certainly you cannot say that in all your Departments every Mussalman is not so efficient as to be chosen. At least they are the proper persons since you have made proper selection. Otherwise, the rule is there, the procedure is there,—but why the results do not come up to the desired effect, why this slow process? If you go on giving proportionate jobs, then, certainly, there must be some defects somewhere which stop you from achieving the desired effects. Now, these figures that are pointed out in regard to different Departments are just to bring it to the notice of the Government who are responsible to see to this that if, in spite of so many years, results have not been really what they should have been, due care should have been given to them. We want now that the Government of India should, in order to stop these

communal questions and wranglings in the House, which really waste our time here, make some kind of procedure which, if adopted, may satisfy people easily and no grumbling may go on.....

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

Sir Muhammad Yamin Khan: The only method which the Government can adopt is this, as suggested by my Honourable friend, Mr. Joshi. They may have the results published. They know what jobs are given directly or indirectly. They must have before them facts as to how many promotions have been made from one grade to the other, whether they have been made always on account of seniority, or they have been made on account of selection. If they are by selection, then they must see why, if there is any Muslim in any Department, who can be promoted and has not been done so, then why he has been ignored? But if you go on by seniority, you will find it a very very easy matter because, in that case, nobody will have any grumbling or say anything. But please see to it that if you go by seniority, then do not have a black mark against a senior man who comes up, and that is in order to stop the promotion, in order to make way for another person. That must not be done because it is not only doing injustice to the community but it is doing injustice to the man also. He may properly demand that he should be treated properly, and if that principle is adhered to, I think it will not be very difficult for the Government to get on. I may again mention that this cut is not intended as a kind of censure on the Government, but we only want to mention, as we mentioned it last time, that we want to bring to the notice of the different Heads of Departments what is happening in their Department so that they may look into the matter and may not allow the things to be done if they are true and to examine these figures.....

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

Sir Muhammad Yamin Khan: With these words I support the Resolution, but I must say that our decision will be dependent on the reply which we will get from the Government and on the extent to which that satisfies us. We have got no desire to divide the House on a question like this.....

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

Sir Muhammad Yamin Khan: We know that we will lose it but we know that in a cause which is right, even if only the Mussalmans are to go into one Lobby, they will do so.....

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

Sir Muhammad Yamin Khan: We want a sufficient guarantee from the Government, and that is the only point on account of which we move this cut.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North-West Punjab: Muhammadan): Sir, Muslim Members of the Legislature have frequently ventilated, on the floor of this House, the grievances of the Muslim community in respect of their representation in Government services. It was only after the introduction of the reformed constitution, in 1921, that the Muslim community could make its voice felt on this subject. After considerable agitation, carried on incessantly, we were able to persuade the Government of India that the grievance was genuine and not a manufactured one. In 1923, the Government of India recognised in a hesitating and halting manner that the Muslim community must receive some protection for the purpose of representation in services. However, for reasons of their own, Government found themselves unable to do full justice and did not go beyond accepting the principle of avoiding the preponderance of any one community in the services. They did not go beyond making a reservation for the minority communities and, although the Muslim community was not fully satisfied, we hoped that we would be able to get our share through the representation given to the minority communities in general. Experience, however, proved that a coach and four could be driven very comfortably through these orders. Actually, the position of the Muslims did not improve very considerably in spite of these orders. In fact all that was possible to defeat the purpose of these orders was done by persons controlling the Government Departments. Muslims continued to agitate for orders prescribing specific representation for the Muslims, for we were convinced that without such specific orders, it was futile to expect that we would get our due share. The orders issued in 1934 were the outcome of enquiries made by Government to ascertain the genuineness of the complaints made by the Muslims from time to time. As result of those inquiries, the orders issued in 1934 provided for a representation of 20 per cent. to be given to Muslims in direct recruitment. These orders are too recent and it would be difficult to draw any conclusions as to the extent to which they have been observed in their letter and spirit. We, however, have reasons to believe that attempts are being made in several quarters to restrict direct recruitment as far as possible and widen the sphere of what the Government choose to call grade promotions.

One of our complaints is that the Government have done nothing to make up the deficiency of previous periods for which Muslims cannot be held to blame. Certain orders were issued and a certain policy was laid down by the Government in 1923. We feel that those orders should have taken into account the injustices which had been done in the past to the Muslim community. In 1934, Government, after recognising that the orders of 1923 had not operated to give to the Muslims their due share, laid down a new policy for the representation of the Muslim community. It was essential, at that time, that proper allowance should have been made for making up the deficiencies of past years. It can be proved that if Muslims continue to get the share allotted to them, and Government departments do not go out of their way to restrict the sphere of direct recruitment, it will take about a century for the Muslims to get the share to which they are entitled on their numbers. We demand, therefore, that the process should be accelerated by increasing, for a temporary period, the extent of reservation made for the Muslim community.

Another grievance about which we feel very strongly is that Government have done practically nothing to give the Muslims their due share in the posts, appointments to which are made by drifting officers from

other services. I am at this moment thinking of the Secretariat where a majority of the posts are held by officers appointed temporarily from the provinces or from Central Services. If the Government were really earnest in their intention to give to the Muslims their due share the position would not have been what it is today. According to the November issue of the Combined Civil List there are only 13 Muslim officers out of a total of 186 serving in the Secretariat and the Attached Offices stationed in Delhi. There is a sufficient number of Muslim officers serving in the Provinces and in Central Services from which suitable officers can be easily made available for service in the Secretariat. We attach very great importance to the Secretariat and to the Attached Offices. It is here that the policies of Government are discussed and laid down; it is from here that the day to day administration of the country is carried on. It is absolutely essential that the Muslim point of view should be adequately expressed and understood in the daily administration of the country. We might be told that there is no special Muslim point of view but we hold that Muslims, with their own peculiar historical, religious and cultural traditions, have their own outlook on life and its problems which differ from the outlook of other communities inhabiting India. We insist and demand that opportunities should be given to the Muslim point of view being adequately expressed in the daily administration of the country. I do not know how far it is true but we understand that very often when two or more Muslim officers are attached to any office a state of general uneasiness is produced in the minds of the authorities. If Muslim officers are really so formidable as this view would make them out to be, we would be quite proud of them. Actually, however, the fact seems to be that as a result of the departments having been manned, almost exclusively, by non-Muslims, conditions have come into being in which the introduction of Muslim element operates like the introduction of a foreign body. This is precisely the reason why we demand that a larger number of Muslim officers should be introduced into the Secretariat and its Attached Offices. It is only by this means that the atmosphere of these offices will be changed and conditions will come into being in which Muslims will find that the atmosphere is not inimical to them. It is only by this means that the Muslim community can be assured that in the day to day administration of the country the view-point of the Muslim community is not entirely unrepresented and that their interests are not ignored.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after Lunch.

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, Sir Cowasji Jehangir (one of the Panel of Chairmen) in the Chair.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Sir, I was speaking with reference to the posts of Superintendents in the Secretariat services. We find that according to the November issue of the Civil List, there are five Muslim Superintendents out of a total of 93. The agitation of the Muslim community for a proper representation in the services started very long ago, and even the orders of the Government recognising this demand were issued in 1923. It is a sad commentary on the way in which the recognised,

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

policies of Government, in this respect, are executed that after nearly 16 years only five Muslims have been able to rise to the posts of Superintendents. We consider that if the policy of Government had been executed in the right spirit there would have been a larger number of Muslim Superintendents today in the Secretariat and the Attached Offices. One of the difficulties with which the Government have always confronted us, in this matter, is that no special protection can be given to any community in grade to grade promotions. We recognise that grade to grade promotions do not stand on the same footing as direct recruitment but we consider that having regard to the supreme necessity of giving adequate representation to the Muslims the principle of grade promotions should not have been held to be so sacred as it has been. (The principle of grade promotions is actually departed from in several cases and, in any case, we consider that the rights of Government servants, however sacred they may be considered to be, should give way at least to some extent before the rights of the Muslim community.) The principle of grade promotions, even under the existing conditions, may be violated in the interests of so-called efficiency. Efficiency does not mean anything more than the view which an officer takes of the ability of a Government servant in relation to the work which he is called upon to perform. We consider that the Government have made a fetish of this principle and even taking it at the value which has been assigned to it by Government, it cannot be said to be more than departmental efficiency of a narrow kind. We press on the Government the demands of the Muslim community in the interests of national efficiency of a higher order. By giving to the Muslims what is their due share in the services the Government will be ensuring that the rights of the Muslim community in general are not disregarded and will, therefore, produce a state of contentment which will conduce to an increase in general national and administrative efficiency. We have no doubt in our minds that if the Government undertake a general survey of the entire field of Government services with an open and sympathetic mind they would find that a more adequate representation can be given to the Muslims, even in intermediate grade promotions, without curtailing the rights of Government servants beyond a degree which is incidental to Government service. If the Government adhere to the principle that grade promotions are sacrosanct and cannot be touched and, at the same time, permit their officers to curtail the sphere of direct recruitment, we cannot entertain any hope that Muslims will be able to get their due share under the present system of Government.

There is a post of Budget Superintendent in the Finance Department. It is not open to departmental promotion, but is filled by selection from the subordinate staff of the Finance Department and the Indian Audit Department. The importance of this post can be imagined from the fact that its incumbents are promoted to the Indian Audit and Accounts Service after holding it for a couple of years. It has been in existence now for about a hundred years but it has never been held by a Muslim.

Sir, before resuming my seat, I would like to make a few observations regarding the position of Muslims with regard to the Income-tax Department. Sir, there are two kinds of superior posts in the department, namely, the Commissioners of Income-tax and the Assistant Commissioners of Income-tax. As would appear from the statement given by the Honourable the Finance Member to my Honourable colleague, Mr. Abdullah's starred question No. 863 on the 8th March, the other day, out of six posts of

Commissioners, none is held by a Muslim in any Province. In the Provinces of the Punjab and the North-West Frontier, which have an overwhelming population of Muslims, not a single chance, even a temporary or an officiating one, has ever been given to a Muslim of the post of Commissioner of Income-tax. It will be observed that the Commissioners of Income-tax have always been appointed from the I. C. S. service and Government cannot deny the fact that they have suitable Muslim I. C. S., in all the provinces, to be appointed to these posts. From the same statement it appears that out of 34 posts of Assistant Commissioners of Income-tax only three are held by Muslims throughout India. In the provinces of the Punjab, Delhi and the North-West Frontier, where Muslims have a vast majority, none of the permanent posts of Assistant Commissioners has ever been held by a Muslim. In the history of the Income-tax Department, the only chance given to a Muslim in the Punjab, the North-West Frontier and the Delhi Provinces was in October, 1936, when Mir Azal Ali an Income-tax officer was appointed in a temporary post, but, unfortunately, he died in December of the following year. Since then, it has not been considered desirable to appoint any other Muslim officer to this post.

As would be evident from the reply given to my starred question No. 750 on the 27th February, 1939, by the Honourable the Finance Member, all the superior posts of the office of the Commissioner of Income-tax in the Punjab are held by non-Muslims. I would suggest that in the interest of justice and fair play, to the Muslims of the Department and the province, at least the post of the Personal Assistant to the Commissioner of Income-tax should necessarily be held by a Muslim to safeguard the interests of the Muslim community in running the policy of the Government and the Department. As replied by the Honourable the Finance Member in answer to my starred question No. 750 on the 27th February, 1939, there is a proposal to make additional appointments to the posts of Assistant Commissioners in execution of the schemes of the new Income-tax Act which provides for separation of appellate and administrative functions. I hope the Government will bear in mind the claims of Muslims for the posts of Assistant Commissioners and would give them a fair representation in these appointments to meet their deficiency. Sir, I support the cut motion.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, this is a very important question and it is very difficult for us to traverse the whole field of the services which are nearly 31 in number under the Government of India. It becomes specially more difficult when the Government of India, while prescribing the reservation of posts for Muslims in the services, laid down for the submission of annual returns for each department, showing the percentage of Muslims on the 1st July of every year, but at the same time, they do not make it available to us so that we may go through it and bring to the notice of Government our grievances without referring the matter again and again to this House. I hope the Government of India will pass orders to the effect that a copy of the annual returns showing the communal composition of the services, prepared every year, should be given to Members representing the minority communities in this House. Sir, my Honourable friend, Sir Thomas Stewart, is not going to be impressed and it is only our misfortune that it is so. We should go on trying to impress him. The difficulty is that he gets stereotyped replies and answers prepared by his Department and he has got no time to go in detail through all the grievances of the Muslims and, therefore, their grievances remain unredressed. I wish to take up first of all the

[Maulvi Muhammad Abdul Ghani.]

Posts and Telegraphs Department. Out of 455 gazetted posts, there were 40 Muslims, percentage, 8·7. In 1935-36 this was the position of Muslims. In 1936-37, out of 468 gazetted posts, Muslims were 41, percentage 8·76. In 1937-38, gazetted posts were 423, number of Muslims 43, percentage 10·2. Now, Sir, in these services direct recruitment was also made in 1936-37 of four persons and not a single one went to Muslims. Now, my Honourable friend was talking of recruitment in 1938 and this is to suit him. The question here is whether the Government Resolution of 1934 is being worked fairly well. He should have better quoted figures of recruitment after that date. In 1937-38, nine recruitments were made in the grade out of which only two went to Muslims.

Regarding the Engineering and other departments, in 1935-36, the percentage of Muslims was 4·6, in 1936-37, it was 4·74 and in 1937-38, it was 4·77. I have got the exact figures, but I am not reading them out on account of shortness of my time. Regarding Engineering Department in the years 1935-37, direct recruitment was made of 24 persons of which only one went to a Muslim.

If you take the total number of wireless supervisors and wireless operators, you will find that in 1935-36, the total number was 154 out of which six were Muslims, percentage 3·8. In 1936-37 the total number was 165, out of which six were Muslims and their percentage was 3·6. In 1937-38, out of a total of 171, the number of Muslims was six which means 3·5 per cent. If the Honourable Member for Communications will see the figures, he will find that the percentage of Muslims from 1935-36 to 1937-38, instead of going up has been steadily going down from 3·8 per cent. to 3·5 per cent. I fail to understand how the Muslims' grievances have been redressed. I think this redress is in the reverse direction. Take the case of direct recruitment under this head. You will find that two persons were recruited in 1935-36, not a single Muslim was appointed. In 1936-37, 19 persons were directly recruited, not a single Muslim was appointed. In 1937-38, 46 persons were recruited, not a single Muslim was appointed. Now, the plea—a novel plea—is urged in the administration report that the Muslim candidates could not pass the examination. It is not known what sort of examination they had to pass. Take the case of Telegraphists and Telegraph masters. Out of a total of 2,447, there were 124 Muslims in 1935-36, percentage 5·06. In 1936-37, out of a total of 2,374, there were 93 Muslims, percentage 3·9. In 1937-38, out of a total of 2,127, the Muslims were 85, percentage 3·9. Now, Sir, it is said that special technical knowledge is required of the candidates. Sir, you know the ordinary telegraph clerks. What knowledge is required of them? In railways lots of people are daily appointed and they are trained within a period of three months or six months utmost. Even in this department, the percentage of Muslims is going down from 5·06 per cent. to 3·9 per cent., during the course of the last three years. The share of Muslims under this service instead of going upwards is going down. At the same time it is astonishing and surprising to see it urged that Muslims cannot be replaced by magic wand. We do not want that any magic wand should be waved, we want justice and fair play and equity. We know how we are treated at every stage. A new discovery is made in order to suit the whims and fancies of the department. I am sorry I have not got the time, otherwise, I would prove to the House to the hilt that at every stage, injustice and unfair play are meted out to Muslims.

In reply to question No. 667 on the 24th February, 1939, the answer was given on behalf of the Railway Member that the rule of seniority is observed in the promotion to Superintendent's grade in the Posts and Telegraphs department. Now, if you look into the Rule of the Home Department, you will find that rule 18 lays down:

"Subject to the following conditions, promotion, whether to permanent vacancies, vacancies expected to become permanent or purely temporary or officiating vacancies shall be made strictly by selection from among the most meritorious candidates."

Now, the Postal Department has evidently acted against this rule. If the seniority rule is observed, then it should be observed all along. In one case seniority is observed, in another case, efficiency is observed. To the Postal Superintendent's post, for the purpose of promotion, the rule of seniority is observed, but in the case of clerks, efficiency rule applies. If the Honourable Member will refer to Nomination Roll of the department of 1934, he will find that clerk No. 18 has superseded clerks Nos. 9, 13, 16 and 17, all are Muslims. Clerk No. 40 superseded clerks Nos. 9, 13, 16, 17, 20, 26, 27, 32 and 36, all these fellows are unfortunate Muslims. Clerk No. 64 superseded clerks No. 9, 13, 16, 17, 20, 26, 27, 32, 36, 41 and 60 who are all Muslims. The only fault of these men is that they are Muslims. There was no examination and they were superseded without any cause.

The other day I was challenged by my Honourable friend, Mr. Bewoor, the present Director General of Posts and Telegraphs, who said that he has not degraded 45 second division clerks to the third division. If he persists in his point I have got facts with me now. He first passed an office memorandum called E. S. A. 58/37/Coll. 12 on the 12th May 1938, but on the 9th June last he inserted another office memorandum of the same date and the same number changing the previous decision, and, in that decision, he said that 45 persons in the second division were placed in the third division *vide* Statement A.; and in another statement 'C' nine persons of the third division were placed in the second division. All those were too juniors.

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member has two minutes more.

Maulvi Muhammad Abdul Ghani: Sir, my time is very short, and so I will discuss it again on another occasion. I want to go on hurriedly and take up other departments and give the figures about them:

Department.	Total No.	Muslims.	Percentage.
1. Merchantile Marine—Calcutta, Bombay, Karachi and Chittagong.	44	5	11.4
2. Commercial Intelligence and Statistics, Calcutta	109	9	8.3
D. D. G., C. I. (Temporary)	13	1	7.7
3. Imperial Council of Agricultural Research—(Officers) on 31st March, 1938.	296	37	12.5
Do. Office establishment	213	37	17.4
4. Imperial Institute of Veterinary Research, Mukteswar and Izatnagar—Clerks.	24	3	12.5
Do. other staff	52	11	14.5

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member's time is up now.

Maulvi Muhammad Abdul Ghani: I will finish in one minute.

Department.	Total number.	Muslims.	Percentage.
5. Forest Research Institute, Dehra Dun :—			
Class I	9	1	11.1
Subordinate	83	9	10.8
Temporary	102	15	14.7
6. Botanical Survey of India	14	<i>Nil</i>	..
7. Fumigation of American Cotton Establishment	3	<i>Nil</i>	<i>Nil</i>
8. Finance	83	18	21.7
Temporary	7	1	14.3
	90	19	21.0
9. Currency and Mint—			
Controllers Office	20	1	5.0
Calcutta Mint—Accountant, Deputy Accountant and clerks.	25	2	8.0
Operative Establishment	13
Bombay Mint	21	<i>Nil</i>	..
Operative establishment	17	<i>Nil</i>	..
Assay Office	20	2	10.0
Temporary	13	1	7.7
	129	6	4.6
10. Subordinate staff of the Master, Security Printing permanent.	92	6	6.5
11. Central Board of Revenue—class I and II	47	10	21.7
12. Military Adviser-in-Chief (office)	11	2	18.2
13. Public Service Commission (office)	28	5	17.8

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member must conclude his speech now. He can continue on another occasion from this very point if he likes.

Maulvi Muhammad Abdul Ghani: I will finish in another half a minute.

Department.	Total No.	Muslims.	Percentage.
14. Geological Survey of India Central Service, class II —			
Subordinate "A" class	6	<i>Nil.</i>	..
" " "B" "	4	<i>Nil.</i>	..
" " "C" "	4	<i>Nil.</i>	..
Lower division clerks	12	1	8.3
"D" class museum assistant.	3	<i>Nil.</i>	..
	29	1	3.4
15. Indian Meteorological Department	15	1	6.6

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member can give all this statistics on another occasion.

Maulvi Muhammad Abdul Ghani: All right, Sir.

Mr. G. V. Bewoor (Director General, Posts and Telegraphs): Sir, I rise merely to remove a misapprehension which might have been caused by the statement made by the speaker who has just now sat down. He stated that in connection with certain orders passed by the Director General's office, 45 clerks had been degraded. I pointed out when he was making another speech that that was not a correct statement but he has repeated it today and he has referred to certain orders which were issued in an office memorandum. I must first of all make it clear that this office memorandum was not issued by the Director General but by the Communications Department. The second point is, that the 45 clerks to whom he refers and who belonged to the old second division have not been degraded. The Director General's office was reorganised and Government sanctioned a certain number of posts in the first, second and third divisions. Now, the actual number of clerks in the first, second and third divisions was more in the first and second divisions and less in the third division than the sanctioned strength. Government, in order to enable recruitment to be made in the second division, agreed that 45 clerks of the old second division should be counted against the strength of the third division.

Maulvi Muhammad Abdul Ghani: May I seek one information?

Mr. G. V. Bewoor: Please let me finish. The 45 clerks continued to draw the same scale of pay as they were drawing before and their conditions of service are exactly the same. If the Honourable Member had read the reply, which was given today, to a question by Maulana Zafar Ali Khan and which I hope he will please read when it is published, he will find the whole position explained in the reply given by the Honourable the Member for Communications.

Sir, I do not wish to say anything else except that the various percentages which the Honourable Member read out regarding the position of Muslims in the Post and Telegraph services are merely the result of recruitments made in the last 30 years, and what the department has to be judged by is the percentage of recruitment made every year in recent years. In that connection he referred to the recruitment of engineering supervisors and wireless operators and he said that these people do not require any technical knowledge, because the telegraphists on the railways and elsewhere do not require technical knowledge.

Maulvi Muhammad Abdul Ghani: Sir, on a point of personal explanation, I did not say it about wireless supervisors and operators but about telegraphists and telegraph masters.

Mr. G. V. Bewoor: So far as telegraphists are concerned there has been no recruitment for the last seven years. However, I am afraid that whatever I may say will not convince the Honourable Member and it is not worth while trying to convince him.

Bhai Parma Nand: Sir, I have been listening very patiently to the speeches that have been made today. All the speeches are on exactly the same style and of the same nature. The complaint is that, in almost all

[Bhai Parma Nand.]

departments of the Government of India, there is inadequacy of Muslims in services. From the figures which have been so elaborately quoted, I can only come to one conclusion. I may be quite wrong, but I cannot help coming to the conclusion that all these figures have been prepared as if by those who are employed in those departments.

Several Honourable Members: No, no: there are reports.

Bhai Parma Nand: I will put a simple question to the heads of departments as to whether it is consistent with the dignity or with the Government service conduct rules for these employees to adopt such a course. . .

Dr. Sir Ziauddin Ahmad: If it is the insinuation that these figures are secured by the Honourable Members through outside agency, I must say it is entirely wrong. We get them from the reports published.

Bhai Parma Nand: It is for the Government departments to see whether this material has been regularly supplied. It is not so much the matter but the manner by which it has been obtained by these gentlemen who have studied it so thoroughly and with such great labour. My point is that it was for the Government Benches to reply to these figures—I have not studied the figures and I have no answer to make. To some of the speeches in which reference was made to the Communications Department, the Honourable Member for Communications has given a very definite and exact reply on which there can be no further say. It is for the Members of the other departments to convince my friends, if it is possible for them to do so.

I repeat once more that our objection is to the very principle of communal representation in the services. . . .

Mr. N. M. Joshi: It is too late.

Bhai Parma Nand: I do not agree with you. It may be too late, but I have been raising my objections to this for ten years and I
3 P.M. must repeat them even now.

By the way, Sir Ziauddin Ahmad was talking of communalism and nationalism. I wanted him to explain by an illustration as to what he meant by nationalism and communalism. If he thinks that he has been dubbed as a communalist, so was I all along; and, therefore, I think we are quits in that way. . . .

Dr. Sir Ziauddin Ahmad: But you call yourself a nationalist of the Congress Nationalist Party.

Bhai Parma Nand: They dub me also as a communalist just like you, and there is, therefore, no difference between you and me. To come to my point, I said I object to the principle. Our view is that public service, as its name implies, means that the people, who want to be taken in service in certain departments, should be best able to serve the public; I do not understand why it should be different in India, where it is considered as a sort of emolument and efforts are made to get a fixed share by the distribution of these services. It is not a very high class of idea and does not imply any desire in our minds to seek service for the good of

our country. Anyway, as is well known, agitation was started and in spite of our opposition and to our great disappointment, just as there came a Communal Award in the constitution, a natural corollary from it came the Government of India order, pressure having been brought to bear upon His Excellency the late Viceroy who agreed that there should be this distribution of emoluments in public service. As a result a share of 25 per cent. was fixed for Muslims in the services.

Now, it was for the Government to carry out that decision and so far as I can see the Government Members have been assiduous and sincere in carrying it out, though it was clear that this could not be accomplished in one jump. Complaints were made before and are even now being made. I do not think there can be any complaint so far as recruiting is concerned. We have other reasons and as also the figures that have been given by the Honourable Member for Communications: it is for the other departments to prove it by their figures. We know definitely that the proportion of recruitment for the Muslims has been gradually increasing every year; in some departments, as the Honourable Member told us, it had risen to 29 per cent. to make up for the deficiency in their ratio. I had to mention last year also about Sir Muhammad Zafrullah Khan's orders in which it was said that out of ten men to be taken, eight should be Muslims, one should be a Sikh and one should be some 'other'; which meant excluding Hindus altogether from the North Western Railway Service. This was what I said last year in reply to my friend, Mr. Piracha.

I turn to the question of efficiency and equity. Sir Muhammad Yamin Khan did not object to efficiency. But if efficiency is to be the criterion, naturally some kind of selection has to be made. The proper way, as the Government have decided, is through competition by the Public Services Commission. We have got such commissions in all provinces. So, when our friends object to the distribution of these emoluments they should blame the Public Services Commission for partiality as they are responsible for this distribution: they have definite instructions and, besides that, the Government are always sending instructions to the heads of these departments that the proportion, as laid down in the order, should be followed. But as I gather from the speeches, the complaint now is that in the grade of superintendents or head clerks or gazetted officers, etc., there is not a sufficient number of Muslims. This raises a fresh question altogether. One thing was settled, that the Muslims should get 25 per cent., but now to say that in such and such a grade that proportion should be strictly observed, is simply making a preposterous demand. It amounts to saying that there should be so many Muslim superintendents out of so many and so many Muslim head clerks or gazetted officers out of so many, why not that proportion should be observed in the grade of chaprassis just as much as in any other. . . .

Mr. N. M. Joshi: And in the Army.

Bhai Parma Nand: As Mr. Joshi reminds me, in the army also. If that proportion is to be observed elsewhere, I say it should be introduced in the army where the Hindus should be given 75 per cent. and the Muslims only 25 per cent. as Army is a department under the Government of India. As a matter of fact there are certain departments for which Muslims are more fit and naturally they are taken in a greater proportion in those departments and in others for which the Hindus are more fit.

[Bhai Parma Nand.]

Now, as regards the question of justice and equity, my friend, Maulvi Abdul Ghani, was telling us that they wanted justice to be done to all. I shall put before him one simple instance—suppose there is the competitive examination for I. C. S. selections held by the Public Service Commission, and in that examination say five successful candidates top the list—and they are all Hindus. Now, instead of taking these five, only two or three are chosen and then others who stand 25th or 30th on the List, merely on the ground of their religion, so as to meet the communal inequality. Do you call that fair or equitable? Merely because you want to keep up the communal proportion, you want that a candidate who has stood 25th or 30th in the list should be taken into the I. C. S. is not at all right. That means the introduction of religion as a qualification into the services. It cannot possibly conduce to efficiency. If religion is to be made a factor for the selection of Government appointments, it cannot but mean that the Government encourages proselytisation or conversion of people belonging to one religion into another. I know of two cases in the Punjab in which the candidates were asked to give up their religions if they wanted a particular post. As these cases occurred in the Punjab, there is no use of mentioning them here, and one of these candidates did change his religion and got the job which was the appointment of an Engineer to an important Municipality. That is a kind of temptation put in the way of non-Muslim candidates. How can you apply that principle, and expect your religion to make up for actual efficiency? Whatever that be the Hindus never objected to safeguarding the interests of the minority communities. You, Sir, belong to a minority community, and if a large number of Parsis have held high appointments, the Hindus never objected to it, because they knew that such Parsis have risen in the various professions by sheer fruit of merit, by industry and hard work. We never felt jealous of the Parsis or other minority communities. We never grudge them their due share in the services.

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member has two minutes more.

Bhai Parma Nand: The Muslims have got it made a statutory obligation that their communal proportion should be observed in all departments,—that by itself meant the introduction of communalism. But our friends want to introduce that communal principle into every branch of every department of the Government services. All the same, I have no objection to Government carrying out the orders, but the question is who is to carry out the order? It is not the Members of this group or that who are employed in the various departments and can prepare the statistics. It can only be the Public Service Commission or the Members in charge of the various Departments or the Government Members themselves who should see that the order based on this principle is put into practice. To say that the Public Service Commission is not honest, that the Government Members do not do their duty properly or the Heads of Department are partial will be going too far and blaming everybody on earth simply because certain people attach too much importance to their grievances. The main reason is that this appetite once aroused can never be satisfied. You create the communal appetite.

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member's time is up.

Bhai Parma Nand: I shall take only two minutes more.

Mr. Chairman (Sir Cowasji Jehangir). Only two minutes.

Bhai Parma Nand: It grows the more it is fed; the cause of complaint is on the other side. I have been here for ten years now. I was always bothered by the Hindus to tell the Government that they suffered great injustice in the department under the Director General of Post Offices. Sir, I had to put questions many a time. My Honourable friend in charge of the department once bluntly told me that these questions could do no good to the Hindus, and asked me to be more patient. Since then, I gave up putting questions on their behalf. I think it is no use to blame the Director General and say that he is partial to the Hindu community, or unfair to Moslems. The reverse may be true.

One more point; my friend, Dr. Ziauddin Ahmad, referred to a letter in support of his contention. I want to put it to him whether it was proper on his part to make a personal attack on an Honourable Member sitting on the Treasury Benches by disclosing the contents of a letter which was received by some one from the Private Secretary to H. E. the Viceroy. . .

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member must now conclude.

Bhai Parma Nand: So far as I know—and I have had many years experience of the Assembly,—Sir Girja Shankar Bajpai has been a most upright and honest man. My friend, Sir Ziauddin Ahmad, said that Sir Girja Shankar never took any Muslim Under Secretary in his department. What was Mr. Hydari who has been Joint Secretary with Sir Girja Shankar for many years now? In the face of that, how can it be said that Sir Girja Shankar never cared to take any Muslim Under Secretary in his department. These are charges made out of prejudice, simply because Sir Girja Shankar happens to be a Hindu. (*Some Honourable Members:* "No, No.") This was really unfair on the part of my friend, Dr. Sir Ziauddin Ahmad. He should not have made a personal charge against another Honourable Member. I protest against this, Sir, and close.

Sir Syed Raza Ali: Mr. Chairman, in view of the grave communal tension that unfortunately exists in the country, it is not without considerable diffidence and reluctance that I have decided to get up to make a few observations of a general character. Sir, I know that the tendency in certain quarters is to decry any attempts that are made in this House to secure the removal of the grievances of any particular minority community, but merely to take up such an attitude does not do away with the evil itself. The main question that the House has got to consider, on this motion, is whether the grievances of the Muslim community, on the whole, are just, and if they are, what further steps should the Government of India take to obtain the removal of such grievances. Sir, in the course of the debate an observation was made by, I believe, one or two speakers that the Muslims want to secure a representation of their own community in certain services or branches of services even when qualified Muslim candidates were not available. Now, I have no hesitation whatever in saying if I may, on behalf of the Muslim community, that the Muslim community never preferred any claim,—I am inclined to call it an absurd claim,—of this nature. Our grievance has been that in spite of the fact that competent Muslims are forthcoming they are not given the same chance or the same trial which is extended to candidates belonging to the majority community.

[Sir Syed Raza Ali.]

Now, the Muslim grievance resolves itself into two classes: firstly, such grievance will have to be judged in the matter of recruitment of Muslim candidates for the services, and secondly, it will have to be scrutinised with reference to the question of promotions. The principles on which recruitment and promotions are made are, as is known to the House, at times very different. In the matter of recruitment of suitable candidates, I think, not very great difficulty need be experienced for securing suitable Muslim candidates. In a speech that I made the other day, I admitted that during the time that I was associated with the Public Services Commission, there was only one occasion on which we found it difficult to secure suitable Muslim candidates either in the competitive examinations or in the selections, and that was in connection with candidates for Engineering Services. I believe something to the same effect was mentioned earlier this morning by the Honourable the Communications Member, Sir Thomas Stewart. If it is difficult to secure suitable Muslim candidates for any technical or highly specialised services, we are quite prepared to wait till such time as our community can produce such candidates. But I assure the House that such cases are very, very rare in number. During the whole course of time that I was associated with the Public Service Commission there was only one occasion when we failed to secure suitable Muslim candidates for certain engineering appointments. Therefore, let there be no doubt that in the matter of recruitment there can be no difficulty experienced by Government in finding the necessary number of qualified Muslim candidates. In this connection I would enquire what steps Government have taken to see that the proportion laid down for the Muslim community in the Resolution of 1934 is given effect to. Before I left for South Africa I knew it was in the air that a special officer would be appointed by the Home Department to see that such proportion was adhered to in every branch of service under the Central Government. I do not know whether any such officer has been appointed. As far as I know, no such officer has been appointed. May I make a suggestion that, in order to meet this crying need, the Home Department should take very early steps to appoint a man to see that the proportion laid down in the Resolution of 1934 is given effect to. The officer appointed should preferably, so far as I can see, be a Muslim. The advantages of appointing a Muslim will readily occur to every careful thinker of the problem. But, if, for any reason, it is not possible to appoint a Muslim, then I think the officer should be one in whom the Muslim community will have absolute confidence.

Coming to the matter of promotion, the Muslim complaint is this. Promotions are made either on grounds of seniority or on grounds of special qualifications in the case of selection posts. Having been associated with certain departments of the Government of India I can quite see that the division into these two classes, based on seniority and special merit, is on the whole one that can be justified on good grounds. It may be that at times this division leads to hardship, but, on the whole, I think it is based on well-defined grounds. But the Muslim community's grievance is this, that, if seniority is the qualification which is to be considered at the time of promotion, then, unfortunately, Muslims are not available as they are kept down and are not promoted to grades where their claims could be considered for promotion on the ground of seniority. That is the grievance, namely, they are not promoted to the upper grades from which it would be

possible for some of them to be promoted to the next higher grades; therefore, they are not given the chance of becoming senior enough to be considered for promotion when the time for such promotion on the basis of seniority comes. That is grievance No. 1. The second grievance is this. If it is a question of promotion to a post which is a selection post or in the case of which special merit is to be considered, then owing to the step-motherly treatment accorded to Muslim public servants, the man below a Muslim is taken as being specially qualified for discharging the duties of the particular post. The effect of these two sometimes directly opposite and divergent qualifications is this, that the Muslims lose both ways. They cannot be considered in connection with seniority because they are not senior enough, for they are kept down. When it comes to the question of special merit, the man next below the senior Muslim is taken as being more efficient. So, it is a case of heads I win, tails you lose. That is the real complaint of the Muslims. How the grievance can be removed is rather a difficult question, but I would like to make a suggestion in this connection for what it is worth. It is not possible to take away the right of making appointment to a post in case of promotion from the head of the department, but I certainly think that it would be convenient if the Home Department considered the question of the head of the office, where such a vacancy occurred, being assisted by a selection committee of two or three persons. I believe a committee like that already exists in the case of the Government of India. My information is that, in the case of selection of those members of the I. C. S. who are working in provinces and whom it is proposed to transfer to any department of the Government of India at Simla and Delhi, there is a committee of three that goes into the papers of all those candidates who are considered suitable for selection for posts at the headquarters of the Government of India. I suggest that a committee on these lines might be set up.

One more observation

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member has two minutes more.

Sir Syed Raza Ali: I shall finish within those two minutes. Passions need not be excited in considering the question on which we are now engaged. Sir, the question is a very important one, and therefore, it is the duty of every one to see that the legitimate grievances of Muslims are removed. As a matter of fact, it is all the more necessary in view of the changes that are going to take place,—I do not know when,—in the Central Government, that there should be no suspicion whatsoever attaching to the Hindu or Muslim Ministers of the Governor General, of favouring people belonging to their own faiths. It always was important that a community's grievance should be removed but as long as the deciding power was in the hands of the Englishman, we were prepared to give him the benefit of the doubt. If an Englishman erred, it was supposed to be a case of mistake of judgment but things are very different now. Now motives are attributed. A Hindu or a Muslim Member of the Government of India is suspected of favouring unduly men of his own faith and showing disfavour to people professing a different faith from his own. That way it is much more important that a radical step should be taken to remove the root cause of the trouble. That is the only way really in which we can help the future progress of India.

Sardar Sant Singh: It is with great hesitation that I have decided to intervene in this debate, not because I am opposed to the principle of communal representation in services, but because the method adopted in enforcing the claim of communal representation and the trend of the speeches made here make me think—I hope I may be wrong—that things are moving in a direction which ultimately threatens to take away entirely—if not entirely, at least to a very great extent—the discipline and efficiency of the public service in India. I have seen the working of communalism in the Punjab. (Interruption.) My friends should not be impatient. I have seen, to my utter dismay, that all ethical and moral considerations have been thrown to the winds, so far as legislation and recruitment to the services are concerned.

An Honourable Member: What about Congress provinces?

Sardar Sant Singh: I have no experience of Congress provinces. Not only that. I say from my place in this House, and I have said it before as the President of a Conference recently, and I have quoted from the highest authority, that democracy does not mean the throwing away of all ethical and moral considerations. However, this is beside the point. It is a matter of congratulation to my friends of the Muslim League that every Member is supplied with a written thesis to say something on this subject.

Mr. Muhammad Nauman: That is very wrong. Our Members have not been supplied with speeches. Some of them have got certain figures and certain facts, and they have typed them out. If this is called a written speech, then my friend is welcome to his opinion.

Sardar Sant Singh: I accept the explanation of my friend. I will only say that the typed portion that I have seen gives me the impression that written speeches are supplied to Members here. However, that is not a matter of very great or material importance. What I was trying to draw the attention of the Government to is this—too much insistence of the Circular of July, 1934, should not affect the judgment of the Government to the prejudice of the claims of other minorities. That, Sir, is wrong in principle. I have never believed in the righteousness of that Circular, but another difficulty has come in. It has been repeatedly said by the recruiting officer that minorities mean Muslim minorities and that other minorities do not deserve any consideration at all. Only day before yesterday, a Sikh, who had been to the local broadcasting station, said to me that when he saw a member of the Selection Board, he was told that the Sikhs were not a minority, and that even if Muslims were not available, other minorities had no claims. That is the interpretation that is being put on the eight and one-third reserved for other minorities. Now, my friend, Dr. Sir Ziauddin, is a very different Ziauddin from what he was in 1934 or 1935. I liked him at that time, but he has now put on a set of different spectacles. Sir, the trend of the speeches indicate something in the nature of terrorist speeches. Here a direct attack is made on one of the Members of Government, the Member in charge of the Department of Education, Health and Lands, simply because he happens to be a Hindu. My friend, Sir Raza Ali, said rightly that in these matters of promotion motives are attributed. If the head of the Department is a Muslim, then the Hindu comes and says that he cannot get the job, because the head is a Muslim and does not like the Hindu. Similarly, if

the head is a Hindu, the Muslim says that he cannot get the job, because the Hindu head of the Department does not like a Muslim. The present trend of the speeches has indicated clearly that the person, be he a Hindu or a Muslim or a European or a Sikh, would be held responsible if he did not recruit a Muslim and Muslim only. I complain of this mentality. Officers are thinking only in terms of Muslimisation, and if this mentality continues to grow, then the position is not safe for other communities, unless they convert themselves to Islam. My friends do not know what they are doing. Some Hindus took to Islam in order to get jobs. Are you going to be a party to this? That is the point. (Interruption.) My friends need not be impatient. I want to make a suggestion before this policy is allowed greater scope. I suggested a remedy the other day. That is, prepare a consolidated list of all the services from the time when the Circular was issued up to the present time, giving full information as to facts and figures and showing how that Circular has worked so far. I still insist on that suggestion. The difficulty is that your prejudices have gone so much against yourself that you do not know what the facts are. (Interruptions.)

Mr. Chairman (Sir Cowasji Jehangir): Order, order. Honourable Members should allow the Honourable Member to continue his speech.

Sardar Sant Singh: Sir, one suggestion I shall make in order to avoid all interference with the private religion of any community. Why not declare that for three years there will be no recruitment except of Mussalmans,—that every Hindu, every Sikh, every European, every Parsi, every Christian, every Anglo-Indian will know that there will be no other recruitment but of Mussalmans, and then this thing will come to an end for two years. Do it, and then let the proportion be fixed.

Mr. Muhammad Nauman: Thank you very much.

Sardar Sant Singh: I am glad my greatest opponent has given expression to his real sentiment. Let there be some end to it. Sir, no administration can run if it is not an efficient administration or if it does not serve the public. The services represent only one per cent., and not even one per cent. of the whole population.

The second point which I want to suggest to put an end to this bickering is to reduce the emoluments of the services, so that the market value of each candidate should not be greater in public service than he can get in the open market. The result would be that only those who want to serve the public will join the service, and not those who are inefficient in the market, but who find favour with the recruiting officer and thus get into the service. My friend, the other day, was making a suggestion, and I put a question just to elicit an answer from the Honourable the Communications Member when I was told that a Muslim pilot could not be had and, therefore, he was not appointed. Now, to insist that a person who has not qualified should be put into a job where qualification is the most essential and vital thing is to suggest disaster to the service itself.

Sir Muhammad Yamin Khan: Nobody ever suggested that, nobody will agree to that.

Sardar Sant Singh: Well, in respect of some of the technical Departments questions are asked—"How many Mussalmans are there, etc.?" The result is that you do not want technical qualifications in technical jobs. Sir, if that be so, then, can any country advance or make any progress?

Mr. Chairman (Sir Cowasji Jehangir): The Honourable Member has got two minutes more.

Sardar Sant Singh: The result is that Departments are divided into communal compartments, and not only that, but each section and each sub-section of the Department, each cadre of gazetted officers, going down to the lowest menial staff, is sought thus to be divided. Sir, would it not be better that each Department should be given a list in which the different communities held the different appointments, with the emoluments attached to each, so that the total amount of emoluments should vary with the population basis of that community? That will be the best method, but if you want to do justice, and my friends have been appealing in the name of equity and justice, may I ask then that should it not be decided on the question of the amount of income-tax paid by each community? (*Voices:* "No, no.") Should it not be on the basis of the contributions made to the Central Exchequer by each community, and on that basis such things should be done, as also on that basis they should be given the vote? Then, I am sure that people with one per cent. will get twenty per cent. in the public services. (*Voices:* "No, no.") If we are to contribute to the revenues on the basis of our income, why should we not get a due share having regard to that? These are the various suggestions I put forward for your consideration, and Mr. Chairman, if the communal bickering is to be brought to an end, then some of these suggestions must be given effect to.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, in this atmosphere of communal tension I will place before the House one thing which I expressed on the floor of the House even before this, and it was after the speech made by my friend, Sardar Sant Singh, in this very House last year. Sir, the question of communal representation is now a settled affair. Whoever may object to it, but it is a settled fact, nobody can deny that. My friend, Bhai Parma Nand, said that he had taken objection to this before, but here as the thing is now a settled fact, so for God's sake do not try to dispute it. If we do that, then I warn my friends that the whole constitution of the Government of India perhaps might be unsettled in a day.

An Honourable Member: That is what we want.

Mr. Muhammad Azhar Ali: What I say is, keep your word, keep your promise. You have been taught by Mahatma Gandhi that if you do not keep your promise, if you do not give effect to that, then you will be sorry for the day. I would ask my friends that if Government and the House has once decided the fact that Mussalmans should have such a representation and that the minority rights should be respected and so on, then I hope and believe in the honesty of my friends here who have once been in this House and who have subscribed to that policy, and it is not right to come one day and say, "we do not want these things, we wish to deny them". Sir, I submit this is the considered and settled policy of this

House and the Government that people should adhere to this, and thus for us to seek to unsettle this settled fact is not the way of a parliamentarian, it is the way of dishonesty, it is the way of unscrupulousness. I would ask those of my friends who have really the best interests of this country at heart that they should never seek to unsettle a settled fact. Sir, I was surprised to hear my friend, Bhai Parma Nand—for whom I have very great respect and regard—today saying on the floor of this House—“I was pressing for certain questions, certain representations, but I was pressed from outside to do something and, therefore, I gave it up.” Sir, I would ask my friend that he has a conscience and he ought not to give up a thing like that. I am sorry for the statement my friend made on the floor of this House and I would ask him not to make such silly statements. . . .

Bhai Parma Nand: I said. “As the people wanted me to ask those questions, I did that”. The question of conscience does not arise.

Mr. Muhammad Azhar Ali: One ought to have some conscience at least and to speak the truth. I am glad you have said it. Sir, today we have to be cautious. I have said something in reply to my friend, Bhai Parma Nand, but we ought to beware of people who come in a friendly garb but they are not friendly in spirit. Sir, my friend, Mr. Joshi, today, said that this is a communal question; he calls it a communal question. I say, Sir, it is not a communal question.

Mr. N. M. Joshi: I say it is a national question.

Mr. Muhammad Azhar Ali: But it is a national question for Mussalmans also. It is your question, it is not my question, which is irrelevant in this House.

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

My Honourable friend, Mr. Joshi, said that the question of promotion should not be taken in hand by the Government if there is a Muslim who has been promoted. He said it was not the right way and right policy. My Honourable friend, Sardar Sant Singh, suggested different methods and he mentioned two or three methods. We have no objection to the methods. No Muslim has ever said that he objects to this method or that. But we do object to those methods which will prove harmful to our community. There are methods and methods. Some other best method might be evolved as was suggested by my Honourable friend, Sir Syed Raza Ali. But it is for the Government to adopt them or not. We come here to represent to the Government our claims and rights and the rights are those very rights which have once been recognised by all sections of the House. Why should the 1934 Resolution be not discussed today on the floor of the House? Why should anybody say that it is not right in principle? I submit that this is not the true spirit of a true parliamentarian. Government had to minimise direct recruitment and Government have adopted promotion principle to Mussalmans. Now, when my friend, Mr. Joshi, says that that is not the right principle but the recruitment was the right principle, then we are between the devil and the deep sea. What have the Government to do? If the recruitment is to be stopped and the promotions are to be stopped, what have the Government to do? Should that be the

[Mr. Muhammad Azhar Ali.]

way in which the claims and the rights of a community be disturbed and not made up? I submit that is not the way to look at these matters. I am very much thankful to my friend, Mr. Joshi, for his advices but we have to be very cautious about them.

Then, my friend, Mr. Joshi, gave another advice to the Mussalmans and that was that they should look after their education more. My friend knows very well how we have been looking after our education from the very beginning. We have established a University and we are doing our best to educate our co-religionists. It is wrong to say that we are not doing anything in that direction. May I remind my Honourable friends that when the Hindus became more educated did they not ask the Government to protect their rights? Similarly, as Muslims become more and more educated, they will claim more rights not only from the British Government but also from their Hindu brethren. And why should they not? It is the right of every citizen of this country to claim his own rights. Supposing my house were demolished today, do you mean to say that I should not have recourse to a court of law? Where is the harm if I come to this Government through this House and ask them to give me my rights? I submit that that is the right of every individual to put forward his claims in this House. If the House decides that this claim will not be heard any more, I will be quite content. But once you have decided upon a principle, all the remarks of my friend, Mr. Joshi, are out of court and they should not be considered. His suggestions, therefore, are out of point. My submission is that once you have settled a thing, you ought to abide by it. We know the history of this Resolution. It was from the year 1921 that the Muslims began to press their claims and this Resolution was passed only in 1934. So, from 1921 to 1934 is a long period. Therefore, as the policy has once been accepted and the promise has been made, that policy should be carried out. We have never asked for more than 25 per cent. If we do so, then it will be right for Mr. Joshi to say that our claim is not a reasonable one or that it is unconscionable. If the Government consider that the suggestion made by Sir Syed Raza Ali is a good one, let a Committee be appointed which should consist of the Hindus, the Muslims, Christians and other communities and let it find out some *via media* for finding a method. We have absolutely no objection to it. What we say today is, as was stated by Sir Syed Raza Ali, that a Muslim officer who was to be appointed has not been appointed and no independent inquiry has been made so far. These are our criticisms of the Government and we ask them to consider our claims on those grounds. Of course, it may not be right for me to insist upon it today, but some reasonable time should be fixed to settle this question and to stop all this communal tension which is growing every year in this House. With these remarks, Sir, I support the motion.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I am afraid

4 P.M.

I have not much to say on this Resolution which has not been said before for several Honourable Members who have spoken have reminded us that this is a subject which turns up at this period of the year like a hardy perennial. Possibly, its annual revival during the Budget season may serve a useful purpose in keeping the Government Departments up to the mark in looking after the working of the 1934 Resolution, but I hope that I shall be able to convince the House that it is not necessary

to express such intense anxiety about its working as some Honourable Members appear to have felt. So far as I can analyse the views which have been put forward during this debate, they seem to fall into two main heads of classification. First, doubt is expressed whether the Resolution of 1934 is being carried out as it stands and, secondly, arguments are advanced for carrying the policy embodied in that Resolution still further so that the recruitment of Musalmans may be accelerated. Of these two lines of argument, the second one, namely, that the policy should be advanced or accelerated, it is not really a valid ground for putting forward a *cut* motion. A motion of this character is, presumably, brought forward to censure Government for not having done something which it ought to have done or which it had undertaken to do. New suggestions, if they are to be put forward, would rather more appropriately come in the form of a Resolution moved in the ordinary way by which such matters could be brought to the notice of the Government. But, unless Honourable Members are able to show that Government have not done something which they have promised to do, they are hardly entitled to censure Government because the carrying out of measures already adopted has not resulted in the fulfilment of their expectations. Therefore, I will leave that point for the moment and go back to the Resolution of 1934 itself. On the face of it that Resolution, if it is carried out, should satisfy the purposes which Honourable Members have in view and I would remind the House of its exact scope. The rules then made, in 1934, are said in the Resolution to relate only "to direct recruitment and not to recruitment by promotion which will continue to be made as at present solely on merit". Then, "these rules apply to the Indian Civil Service, Central Services, class I and class II, and the subordinate services under the administrative control of the Government of India with the exception of a few services and posts for which high technical and special qualifications are required". And, as Honourable Members are aware, it is laid down that in regard to the whole of that field "25 per cent of all vacancies to be filled by direct recruitment of Indians will be reserved for Muslims". I have not detected any definite assertion that that Resolution is not being carried out in those terms but some allegations are made that some provisions are evaded through the avenues provided by the exceptions which I have just read out, namely, filling of appointments by promotion, and secondly, the filling of technical posts. As regards the allegation that the filling of appointments by promotion is deliberately used by some departments in order to evade the prescribed recruitment of Muslims, I am extremely doubtful whether devices, such as those mentioned by Sir Ziauddin, would be possible, because the rules of direct recruitment in all departments are rigorously defined and it would not be open, in my view, to any department to decide that an appointment which was to be recruited under the rules directly should be filled by promotion (we will say) of a *chuprassie*. I doubt, therefore, whether that kind of evasion can really take place consciously, but I will investigate the point and see whether I can discover any evidence of it.

Then, as regards evasion through classification of posts as technical, I might inform Honourable Members that that point has recently been taken up again for examination in my department and we are trying to see whether it is strictly necessary to retain, under the technical classification, all the posts which are now so recruited; and if it is possible to reduce any of them from that category that will be done. But, in regard to really technical appointments for which special qualifications are necessary I do not think

[Sir Reginald Maxwell.]

that any Honourable Member will question the wisdom of that provision in the 1934 Resolution. But in regard to promotion a further argument is brought forward directed to show not that Government have been evading the terms of the Resolution but that the Resolution as it stands, that is to say, excluding posts filled by promotion from the operation of this 25 per cent clause, cannot, at any time, lead to the filling of the services with the desired number of Muslims.

One Honourable Member, Sir Muhammad Yamin Khan, asked whether the appointments by promotion are filled by seniority or selection, and that point was further discussed by Sir Raza Ali. Now, in the case of appointments in which promotion is made by seniority, the general rule is that that promotion is made by seniority subject to the fitness of the senior man. There can be no absolute rule of seniority; there must be some right to exclude persons who are unfit. But, from the point of view from which that point was argued, I do not think any Honourable Member would seriously wish to say that because three successive promotions of Hindus (we will say) in order of seniority had been made, therefore, when we came to the fourth and we found that the fourth post was occupied by a perfectly fit Hindu we should reject him and go down the list, perhaps, however far it might be, in order to find a Muslim. That I think would be a species of unfairness for which no Honourable Member who has suggested this cut will really wish to stand openly in this House.

Sir Syed Raza Ali: Sir, if I may interrupt, the complaint is not that the fourth Hindu is rejected, but that if the fourth man on the list happens to be a Muslim, he is rejected in spite of seniority.

The Honourable Sir Reginald Maxwell: That is not the particular point that I was arguing because I am coming to that later.

Now, I turn to the other question relating to promotion and that is promotion by selection. Usually promotion by selection occurs only where the promotion is not within the cadre for which those involved were recruited but where the promotion is to a post in a superior service, a superior grade of post for which he has no ordinary service expectation. Where a selection of that kind has to be made it has to be remembered that the whole field of recruitment is not open to us. The post to be filled has to be filled by selection from a very limited cadre, that is, of those already filling appointments in some lower grade in Government service. No one can predict that in those lower grades, from which the selection is to be made, there will be any specified proportion of Muslims present; there may be none at all. If there is none at all how is the selection of Muslims to be made? It cannot be done.

Sir Syed Raza Ali: Intermediate recruitment.

The Honourable Sir Reginald Maxwell: I am talking now of promotion which is to be made by selection from a service of one class to a service of another class. And I am saying that where promotion has to be made in that way it is not entirely open to the promoting authority to take a Muslim or Hindu according to some pre-determined proportion. He is limited to the men he finds there; and it is essential that in making rules

of this kind which Government make themselves responsible for carrying out the rules should prescribe something which is known to be feasible in all circumstances. Otherwise, if it is a vague rule, it is open to Government to follow it or not to follow it. Therefore, complaint is made that it is evaded. The only possible way of carrying out a rule of communal recruitment or communal promotion will be that it is one which can be rigorously enforced in all cases; and it would have been perfectly useless, in the 1934 Resolution, to try and frame it in any other way than it has been framed. That is what I want to submit to the House. But, at the same time, I now come to the point which I think was intended by my Honourable friend, Sir Raza Ali, that in fact Muslims do not reach the stage at which they can hope for promotion to these higher posts where selection comes in. On that I would remind him and other Honourable Members that this Resolution of 1934 has been in operation for only four years now and it cannot be expected, by any one, that it would have had its full effect or anything like its full effect. All matters regulating services are long distance matters, if I may put it in that way. The ordinary term of service of a Government servant is about thirty years and if I change my method of recruitment tomorrow, it would take 30 years to make it apply to the whole of any given service. Therefore, it is unreasonable to expect that a Resolution, framed in 1934, would yet have brought the recruitment of Muslims up to the point at which they would be available for selection for higher posts on any system which Government could conscientiously follow. But if it can be shown that the process contemplated by the 1934 Resolution is being carried on steadily and faithfully from year to year, then it must ultimately result in the presence of a much larger proportion of Muslims in the services as a whole. They will then form part of the material for selection and it may be expected that whether the promotion has to be made by seniority only or by selection, pure and simple, the names of Muslims will have to be considered by the appointing authorities. No one can keep them down. I, therefore, doubt whether Sir Muhammad Yamin Khan was right in saying that this system of 25 per cent direct recruitment can never operate to fill the service with 25 per cent of Muslims. My own view is that in the ordinary course it must inevitably operate in that way, but you must give it sufficient time to do so

Sir Syed Raza Ali: It will take twenty to twenty-five years!

The Honourable Sir Reginald Maxwell: The answer is that my Honourable friend, Mr. Joshi, has the whole of history behind him, but even today he complains of a deficiency of qualified Muslims even among agitators. I might remark that where he has got them they make up for the deficiency in numbers by their other qualities.

Now, let me come back to the main lines of the 1934 Resolution, and I want to tell the House that so far as I am able to ascertain in my present position those rules are being worked. The Honourable Sir Ziauddin Ahmad asked for a departmental enquiry to ascertain whether those rules are being worked faithfully or not. But I tell him that the Home Department are the department of Government responsible for seeing that these rules are being worked and they do see with the utmost care that in the case of every department the communal proportions are being observed in direct recruitment.

[Sir Reginald Maxwell.]

That brings me to the point mentioned by Sir Syed Raza Ali when he asked whether any special officer has been appointed for that purpose. He has been absent for some time from this country and he was probably thinking of the appointment of an extra Deputy Secretary which was made in the Home Department with a view to getting these rules for communal recruitment in proper working order. When the foundations of the system were properly laid and the manner in which the information should be obtained and tabulated had been finally decided, it became unnecessary to retain a separate appointment for that purpose alone. But there is still a special branch of the Home Department which is entirely occupied in watching the working of these rules. The Home Department receives detailed information from every department of the Central Government as regards the appointments which it has made from year to year and any appointment which is found to have been made contrary to rule is at once challenged and even cancelled. Moreover, if it is found that any vacancy cannot be filled in the specified way in any particular year, owing to want of a qualified candidate, it is the practice to carry forward that vacancy to the next year so that it is not lost to the community concerned; and as a result of all this the returns which I have seen show that there is a steady rise of the number of Muslims in the services covered by the 1934 Resolution. I have not got all the figures with me and they would be too voluminous to give to this House; and, therefore, I do not propose to deal with individual complaints which have been brought forward, but I would like to draw the attention of the House to the statements which are regularly placed in the Library of the House to give information on all points connected with communal recruitment. Mr. Joshi made a request for a detailed report by departments giving the various percentages and all other information to verify, I take it, whether the 1934 rules were being followed properly or not. I should like to know whether before making that request he had consulted the statements already placed in the Library of the House. No. I would inform the House that regularly, for each department separately, the statements which we receive and which are compiled and placed in the Library contain two heads of information, namely, the communal composition of each department or office or service and secondly, the vacancies which have been filled by direct recruitment, and figures have to be given in respect of each grade or division in which recruitment is made separately and the number and percentage of the members of all the various communities are shown in the appropriate columns. Also there is a column to show how many vacancies were filled in the order of merit and how many by nomination in order to complete the quota of vacancies reserved for minority communities. I think that any Honourable Member who is interested in the subject will find that these statements contain very full information

Mr. N. M. Joshi: May I ask whether Government can supply free copies of the statement to all the Members?

The Honourable Sir Reginald Maxwell: The Honourable Member can get it in the Library of the House. I cannot tell him how many copies are supplied.

Mr. N. M. Joshi: We cannot know when the statement is placed in the Library, but if copies are supplied to us we can read them.

The Honourable Sir Reginald Maxwell: That is a matter with which I am not personally concerned: it concerns the management of the House and its Library and the information given to Members generally. All I can say is that so far as my department is concerned, all the statements relating to departments for 1934 are already in the Library of the House, and practically all those for 1935; as regards 1936 no less than 53 statements have been sent; and as regards 1937, 39 statements have already been sent. So far, I admit, there has been a certain lag in the preparation and compilation of this information and its placing in the Library and we are doing our best to see whether the process can be accelerated. But if there is such delay it is mainly due to the vigilance of my department in taking up cases in which the communal proportions do not appear to have been properly observed. Every year there is a very large amount of correspondence designed to clear up any least point of doubt about the observance of the 1934 Resolution, and I do not think that Honourable Members need feel any great apprehension that any serious evasions take place.

Now, some Honourable Members have referred to the process of selection of officers for the Secretariat, and there is one point I should like to mention, because it touches on what Sir Syed Raza Ali himself suggested as regards the operation of selection, namely, that the Head of the office should be assisted by a Committee of some kind. So far as ordinary selections are concerned, of course, the place of a Committee of that sort is very largely taken by the Public Service Commission, that is to say, where promotion is to be made to a higher service, it is quite the normal thing that the suitability of the candidate is examined by the Public Service Commission and their advice is taken; but in regard to the appointment of officers in the Secretariat, as I think Sir Raza Ali himself knows, such appointments are not entirely made according to the free choice of the Member in charge of the Department. That matter has now been taken out of our hands and placed in the hands of a Selection Board which applies its mind, without any preconceived ideas, to the names which are actually available, and the appointment from among those names is made by the Governor General in Council.

It only remains for me, I think, now to deal with one or two new suggestions which were put forward. As I said, suggestions for new avenues of recruitment for Muslims are not strictly within the scope of a cut motion, but I may briefly notice them. One suggestion was made by Dr. Sir Ziauddin Ahmad where he said that the percentage should be fixed so that the 25 per cent. of the total numbers of the services should be filled by Muslims within a specified period,—I think ten years' time was the time which he mentioned. I have already explained the great difficulty in accelerating any such process without going entirely beyond the principles which ordinarily regulate promotions. It is extremely doubtful whether any such suggestion could be taken up unless experience shows that the working of the 1934 Resolution is not succeeding in the way which I anticipate in filling the services gradually up to the limits which would be expected of it. Once we succeed in getting the 25 per cent. of Muslims recruited into every branch of the service regularly, it seems to me that their percentage will advance sufficiently rapidly to make it unnecessary to try and accelerate the progress; and the same argument will apply to the other suggestion which was made, I think,

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by Sir Muhammad Yamin Khan that we should adopt a higher percentage, 33 per cent. instead of 25 per cent. for the purposes of that Resolution. I think that proposal too is premature, and at any rate at this stage it would not commend itself to the country generally.

Well, Sir, I think that is all I need say in regard to this debate. I think I have made it clear to the House that we stand by the 1934 Resolution. If any Honourable Member can show me or give me details to convince me that the terms of the 1934 Resolution are not being observed by any department of the Government of India, I shall be only too pleased to investigate the case. The Home Department are the watchdogs in this matter, and those who have any complaints to make must come to the police. But it is the intention of Government that this 25 per cent. recruitment of Muslims should take place regularly and steadily, and that it should not be evaded by any devices whatsoever. Whether it is necessary that we should have any additional agency for exercising vigilance is a matter on which I have an open mind. If Honourable Members can show me privately or otherwise that the intentions of Government are in any way being defeated or evaded, then, possibly, we may have to think of some machinery for securing the better observance of the 1934 Resolution, but I can assure Honourable Members that I shall do my best to see that the interests of Muslims are fully secured in the working of the existing orders.

Sardar Sant Singh: May I know from the Honourable Member what is meant by other minority communities in that Circular?

The Honourable Sir James Grigg (Finance Member): Sikhs.

Sardar Sant Singh: The Honourable the Home Member has not replied to that.

Dr. Sir Ziauddin Ahmad: Sir, in view of the assurance given by the Honourable the Home Member that the Department is watching the working of the Resolution of 1934 and that he would see to it that the provisions of that Resolution are not evaded under one pretext or another, and in view of the fact that the question of the modification of the Resolution ought to be discussed in some other manner and not by means of a cut motion, I beg leave of the House to withdraw the motion.

Mr. President (The Honourable Sir Abdur Rahim). Has the Honourable Member the leave of the House to withdraw his motion?

Several Honourable Members: Yes.

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

Mr. President (The Honourable Sir Abdur Rahim): The Chair may mention at the same time that, so far as these cut motions are concerned, they are not necessarily motions for censure. The practice has always been to raise questions for discussions as regards the working of the administration by a token cut like this. Though ordinarily a cut motion is intended by way of censure, it need not necessarily be so.

The next motion the Muslim League Party wishes to move is No. 30. Demand No. 10.

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

The Honourable Sir James Grigg: Sir, I move:

“That a sum not exceeding Rs. 10,73,73,000, be granted to the Governor General in Council to defray the charges that will come in course of payment during the year ending the 31st day of March, 1940, in respect of the ‘Indian Posts and Telegraphs Department (including working expenses).’”

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

“That a sum not exceeding Rs. 10,73,73,000, be granted to the Governor General in Council to defray the charges that will come in course of payment during the year ending the 31st day of March, 1940, in respect of the ‘Indian Posts and Telegraphs Department (including working expenses).’”

Departure from the Practice of using Urdu Script in Postal Forms.

Khan Bahadur Nawab Siddique Ali Khan (Central Provinces and Berar: Muhammadan): Sir, I beg to move:

“That the demand under the head ‘Indian Posts and Telegraphs Department (including working expenses)’ be reduced by Rs. 100’—(To discuss departure from the practice of using Urdu script in Postal forms).”

Sir, I am sure that Urdu knowing people know that repeated attempts are being made to annihilate Urdu and substitute it by Hindi. This propaganda is being carried on by several Hindi societies and specially the *Hindi Sahitya Sammelan* started by Mr. Gandhi. One would ask as to why this is being done. In my opinion, the obvious reason is that this language is spoken by the Mussalmans. In their enthusiasm, they lose sight of the fact that there are several well-known Hindu authors and poets of Urdu of whom we are proud. I have tabled this cut motion with a view that the Government should not be a party to kill the Urdu language. Sir, I will cite some example to show what the postal authorities are doing in this matter. I will tell you, Sir, what is happening in Ahmedabad. There is one association known as *Anjuman Baitul Mal*. The Secretary of this Association asked the Postmaster in Ahmedabad to send him a money order form in Urdu script. The Postmaster, Ahmedabad, refused to supply this on the ground that the language of the area was not Urdu and he supported his contention by citing clause 263 of the Post and Telegraph Guide. With your permission, I will read the relevant portion from this clause.

“All the entries made in the form must be legible, and may be written in English or in the current vernacular of the district, either by the remitter himself or by any one on his behalf”.

I do not know what made the Postmaster of Ahmedabad come to the conclusion that the language of the area was not Urdu. I may say for the information of this House that there are several Urdu schools which are financed by the Ahmedabad Municipality. There is a branch of the *Anjuman Taraqqi Urdu* established in Ahmedabad. If I mistake not, there is also an Urdu paper which is published from Ahmedabad. The same thing happened in Itarsi where, also, they refused to supply Urdu

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money order forms. There is a branch of *Anjuman Taraqqi Urdu* there and Urdu is spoken by a majority of the population. A very funny incident happened in Jubbulpore.

Mr. Muhammad Ataur Rahim, the Headmaster of the Anjuman High School, Jubbulpore, sent a money order form, written in Urdu, to the post office. The postmaster refused to take it saying that he was unable to read Urdu. The Headmaster, however, insisted that the money order should be accepted. The postmaster again refused. Then he sent his peon and asked the postmaster to give the refusal in writing. When it came to that, the postmaster had to yield and he accepted the money order written in Urdu. I will read something from this book which has been compiled by Syed Ali Shabbar with regard to the condition of Urdu in the Central Provinces and Berar. The author of this book says, that when he visited Seoni—he was touring all over the province to investigate the condition of Urdu in the province,—he went to the post office and asked the postmaster to give him a money order form in Urdu script. The postmaster gave a form to him which was in Hindi. The gentleman said that he would like to have the form in Urdu script. The name of the postmaster is also given in this book, his name is Mr. Puranik. He said that nobody knew Urdu in the town of Seoni and, therefore, money order forms in Urdu script were not available. You will be surprised to hear that the total population of Muslims is 25 per cent. of the whole population. Urdu is their mother-tongue, and this language Urdu is spoken not only by the Muslims but by Hindus also. That is the first town in India where they maintain their account books in Urdu. If one were to pass through the bazars of Seoni one would see the signboards of several Hindu shops written in Urdu. May I say that there are several Urdu schools and a branch of the *Anjuman Taraqqi Urdu* there. I do not understand the postmaster of that place saying that the language of the area was not Urdu. From this treatment in big towns. the state of affairs in villages can be better imagined than described.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better speak up.

Khan Bahadur Nawab Siddique Ali Khan: I am sorry that the Leader of my Party, Mr. Jinnah, is not in the House, otherwise, he would have been able to tell you as to what happened in Bombay, and he had to correspond with the Director General, Posts and Telegraphs.

An Honourable Member: A little louder please.

Dr. Sir Ziauddin Ahmad: Will you permit him to come nearer?

Mr. President (The Honourable Sir Abdur Rahim): Yes, the Chair has no objection.

(The Honourable Member then came to one of the front Benches.)

Khan Bahadur Nawab Siddique Ali Khan: I was just saying that unfortunately the Leader of my Party is not here in the House, otherwise, he would have been able to tell you what complaint was made to him by

the Muslim League of Bombay and, in this connection, he had some correspondence with the Director General, Posts and Telegraphs. I will try to deal with the subject in his absence and will read out to you the D. O. which was sent to Mr. Jinnah by the Director General of Posts and Telegraphs.

“In connection with Mr. M. A. Jinnah’s letter regarding the supply of money order forms printed in Urdu, arrangements have already been made to supply them to post offices in localities in which there is considerable Muhammadan population.”

This is the interpretation put by the Director General, but the postmasters of Ahmedabad and Seoni arrived at some other conclusion. They say that the language of the area should be the criterion and not this.

“Arrangements have also been made to keep such forms in stock in other offices also for supply to the public on demand.

The Presidency Postmaster, Bombay, is not able to intimate the circumstances in which the supply of Urdu forms to post offices in Bombay was discontinued.”

Then Mr. Jinnah wrote another letter to the Director General in which he says:

“I am glad to hear that now arrangements have been made to supply money order forms printed in Urdu. But I really do not understand why the Presidency Postmaster, Bombay, is not able to intimate the circumstances in which the supply of the Urdu forms at Bombay was discontinued. I am very anxious to know why the departure was made and the causes and circumstances which led to the discontinuance of the supply of Urdu forms at the Presidency Post Office, Bombay. I, therefore, once more request you to ask the Presidency Postmaster, Bombay, to state the circumstances in which the supply of Urdu forms at the Post Offices at Bombay was discontinued. I think the matter cannot be allowed to rest in the manner in which the Presidency Postmaster-General, Bombay Circle, desires.”

The question is as to why a departure was made and the causes and circumstances which led to the discontinuance of the supply of Urdu forms at the Presidency Post Office of Bombay. I am very keen on the subject and if it had been in my power I would have adopted the weapon of Mr. Gandhi and gone on hunger strike to preserve my language. But, unfortunately, my religion forbids me from fasting unto death, which will mean suicide. Therefore, I cannot take that measure. Secondly, I am not also sure whether His Excellency the Viceroy will intervene if I observe fast. The only alternative for me is to press my cut motion. Sir, I move.

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

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

Mr. Muhammad Nauman: Mr. President, in supporting this cut motion of my Party, I have only to point out that it is probably the first instance in the history of this Assembly when such a motion is moved and, I think, the Government do realise that unless it has reached a limit, where such a resolution is warranted, we would not have done so. It is difficult for me to give all the details as to how Urdu script is being discouraged. There is a slow process and, probably, efforts were made in the beginning to make it imperceptible. The majority community had all the feelings of apathy towards Urdu but they were careful in using all secrecy of their feeling but now, when they think that the time of transference of power from the sovereign authority is drawing nearer, they are revealing this mentality even in small matters.

Mr. M. Asaf Ali (Delhi: General): What has this motion got to do with the Congress. I thought that it was the Central Government which was being censured.

Mr. Muhammad Nauman: I made no reference to the Congress. I referred to the mentality of the majority community.

Sir Syed Raza Ali: In fact, both of you are equal offenders.

Mr. Muhammad Nauman: Probably the House will agree that Urdu was the one single language which could be understood throughout the length and breadth of this country till the end of the 19th century. With the advent of English education on a large scale, the different vernaculars in different parts of India became prominent and Urdu was being given a slow poison. With the advent of the national movement in India, sectarianism began to influence different leaders, in different localities, and somehow or other the majority community began to feel that unless Urdu language was reduced to a sectarian language, the culture allied with Urdu will continue to prevail in India. This predominating influence of the Urdu language began to be looked with contempt and a secret propaganda was started by the majority community to disown Urdu as a common language of the country and this position was clearly brought about with the advent of Congress Ministries in the provinces which encouraged the Congress Groups to come out with the "Wardha Scheme" and try to give a final deathblow to Urdu.

Mr. M. Asaf Ali: Surely ignorance can go no further.

Mr. Muhammad Nauman: Now, Sir, this propaganda has influenced the Postal Department as well and, first of all, peons began to neglect the letters addressed in Urdu and then began to throw them off for the compulsory training of the masses in Hindi and the postmasters in villages and small centres began to work up this mentality and they began to suppress Urdu literature and Urdu printed forms in all places where it became at all possible for them to do so. There is no doubt that the Postal Department of the Government of India is one of the most efficient departments of the Government and probably heads of departments, including Mr. Bewoor, could not get even 1/100th part of the information regarding the highhandedness of the staff.

Now, I come to some concrete facts in Patna District. I found that in the village post offices of Pundarak, Noorsarai and Nagarnosha and many other places where I sent my servant for bringing money order forms in Urdu, the postal authorities told me that they do not receive any forms in Urdu script. The House has heard the interpretation put by the Postmaster of Jubbulpore and the House has also heard the correspondence that has passed between Mr. Jinnah and the head of the Postal Department, Mr. Bewoor. Now, in the village post offices which I have mentioned, I was told that they did not receive the form for months. Last October, during my visit to Lalmanirhat in Bengal, where I went to preside at a meeting of the Muslim employees of the Railway I was told by the Chairman of the Reception Committee, Syed Abdul Hafiz, M.L.A. of Bengal, that all letters addressed in Urdu were, at least, delayed by 48 hours, if not thrown out and I was told that no forms in Urdu were available. During the same month I received representation from some

people of Purnea stating that they do not receive their letters at all in time unless they are addressed in Hindi or English. During my visit to Sitamarhi and Darbhanga in Tirhut Division, last January, I received the same complaint and I personally went to one of the post offices in Sitamarhi and Sakri and I met with the same experience and same complaint. It was not a very great surprise to me as only recently even in Calcutta, things are happening like that. If any letters are written in Urdu, there is a delay of 24 to 48 hours. On enquiry in the post offices I was told that because they have got only one man who can read Urdu script, they are not in a position to deliver letters written in Urdu in time. I have given the House the examples of the villages and also of big cities like Calcutta. This is the way things are being managed. I do not know whether the authorities, sitting on the other side, are aware of the situation but at this stage we feel that we must point out how things are going on and how imperceptibly the majority community are trying to denounce Urdu. Even the postmasters or men in charge of small offices do not give Urdu forms when requested to do so. That is the position, Sir, which has compelled us to table this cut motion and I would request the Honourable Member and Mr. Bewoor to take up the matter in all seriousness and to start inquiries on the data we are giving them. I do not want to try the patience of the House by giving out stories of a few other places or reading out letters which some friends have written to me on this topic but I would request the authorities to make inquiries and see that every post office gets an Urdu script and that arrangements are made that letters addressed in Urdu script are delivered to every body in time and give these letters the same treatment as letters addressed in Hindustani or English. With these words I resume my seat.

Some Honourable Members: The question may now be put.

Mr. M. Asaf Ali: Sir, I did not think that the Party which has tabled this motion was going to bring the debate to a sudden close, but since the suggestion has been made that the question should now be put, I thought that I might just intervene at this stage. Reference has been made by the Mover of the motion to the "*Sahitya Sammelan*", and it was said by him that it was started by Mr. Gandhi. May I tell him that it was *not* started by Mr. Gandhi, but Mr. Gandhi certainly patronised it. He was under the impression that it was due to the intrigues of the "*Sahitya Sammelan*" that the Honourable Sir Thomas Stewart's Department was sabotaging Urdu wherever it had existed before. I do not know to what extent Sir Thomas has any knowledge of such a conspiracy, I trust there is no ground for it, but if there is, it is a grievous fault and grievously he must answer it. In so far as the question of Urdu is concerned, I am afraid it is being mixed up with Urdu script. I am absolutely certain that every section of the House will agree with those who desire that in every part of the country where there is a certain amount of population which calls for forms written in a particular script, such forms should be made available there. I have not the slightest doubt about that. If the object of the League's motion is nothing more than this, I have every sympathy with it, but if their object is that forms in Urdu should be available in every part of the country, in every village and in every backwood's post office, I am afraid they are making a claim which will not be considered reasonable.

An Honourable Member: Why, why?

Mr. M. Asaf Ali: and that for a very good reason. I should like to know why the money of the country should be spent on printing . . . (interruptions) . . . will you kindly listen—why the money of the country should be spent in printing and publishing forms which are not wanted. Do you want every post office to have forms in Urdu? Then, there will be a demand that there should be forms in Gurmukhi and in so many other scripts? In how many languages will you have these?

Mr. Lalchand Navalrai: In my Sindhi also.

Mr. M. Asaf Ali: Do you want that every post office in every part of the country must have forms printed in all the languages in India, of which there are at least two hundred? Well, that is unreasonable. I feel considerable sympathy with your demand when you say that in particular places where Urdu forms should be available they are not made available. The Department concerned must answer the charge. I have every sympathy with that demand. I am simply saying that you certainly do not want to go further than that and say that forms printed in the Urdu script should be available at every post office, everywhere, throughout India. I do not think that is your demand.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muhammadan): That is our demand.

Mr. M. Asaf Ali: We have got to look to the reasonableness of the situation. I am afraid in so far as my friend, Mr. Nauman, is concerned, I may say that if there is anybody who should stand up in support of Urdu, well, I think it is my humble self—who am born to speak Urdu,—I do not know for how many generations we have spoken Urdu—but it is not we who are clamouring with the same voice as some of those are clamouring now-a-days who, to my best information, cannot speak Urdu! Sir, I was told, the other day, that somebody in Bengal started referring to Urdu as "*Nobir Jaban*", that is to say, the Prophet's language! If that is the conception of Urdu in certain parts of India, I would not like to be associated with it; I am as great a supporter of Urdu as anybody, but Urdu should never be mixed up with that kind of language which certain Governments call Hindustani or Hindi. I do not mind Madrassesees and others claiming to speak a language which they may call Urdu, but which I do not call Urdu. That sort of discussion should never be introduced into this House. It is an absolutely irrelevant topic,—an irrelevant discussion: you want to discuss something which is reasonable, namely, that you want forms printed in Urdu to be available for persons who need them in places where they happen to be in a certain number and where, reasonably, they should be provided. If that is your object, I have absolutely nothing to say against it. But if you want to go further like Mr. Nauman and have a fling at the Congress in season and out of season, then let me tell you that it is due to the Congress that today the country is taking to Urdu, much more than the country has ever done. (*Voices:* "Question, question").

Sir Syed Raza Ali: "Not Urdu".

Mr. M. Asaf Ali: I may tell you here and now that it is the recognised policy of the Congress today—if you like, I shall show you the resolutions passed, not once, but for several years, year after year, and they have been passing resolutions to that effect. . . .

Sir Syed Raza Ali: To what effect?

Mr. M. Asaf Ali: It is our recognised and declared policy that Hindustani should be the language of the whole of India and it may be written in both Hindi and Urdu scripts—the language of each section, whatever it may be, must be preserved and must never be interfered with. If you speak a particular language, you will be left alone and, in fact, your right is safeguarded, wherever you may live,—but if you are speaking the kind of Hindustani some do, then claim that and do not claim the other. I should like to know how many people in certain parts of India there are who speak Konkaneese, Marathi, Gujrati and other languages. I do not know what mixtures of language they are speaking. I do not associate Urdu with such languages but I am certainly prepared to call that “Hindustani”. I am prepared to speak it to make myself understood by them. Therefore, I do not wish this question to be mixed up. If the demand is confined to the question of script and the printing of postal and telegraph forms in the Urdu script in certain places where they are in demand, it is for the Department to answer and I hope they will answer it with satisfaction.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 14th March, 1939.