

Monday, 10th November, 1941

THE COUNCIL OF STATE DEBATES

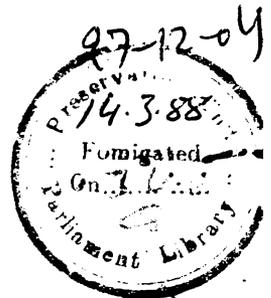
VOLUME II, 1941

(10th November to 22nd November, 1941)

TENTH SESSION

OF THE

FOURTH COUNCIL OF STATE, 1941



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Council of State

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BAR.-AT-LAW,

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THE HONOURABLE MR. P. N. SAPRU.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU.

THE HONOURABLE MR. M. N. DALAL.

} Members.

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111 Council House in New
CORRIGENDA.

In the Council of State Debates,
1941, Vol. II,—

(1) On page 4, in the top line,—
for " India " read " Indian ";

(2) On page 136, in line 3 from the
top,—
for " one is at " read " that is,
with ".

(3) On page 142, in line 5,—

delete the words " at the time ";

(4) On page 147, in line 4,—

for " I lay a statement on the
table " read " A statement
has been laid on the
table ".

THE
COUNCIL OF STATE DEBATES

(OFFICIAL REPORT OF THE TENTH SESSION OF THE FOURTH
COUNCIL OF STATE)

VOLUME II—1941

COUNCIL OF STATE

Monday, 10th November, 1941.

The Council met in the Council Chamber of the Council House in New Delhi at Eleven of the Clock, being the first day of the Tenth Session of the Fourth Council of state, pursuant to section 63D (2) of the Government of India Act. The Honourable the President (the Honourable Sir Maneckji Byramji Dadabhoy, K.C.S.I., K.C.I.E., LL.D., Bar-at-Law) was in the Chair.

MEMBERS SWORN :

His Excellency General Sir Archibald Percival Wavell (Commander-in-Chief).

The Right Honourable Sir Akbar Hydari (Information and Broadcasting Member).

The Honourable Malik Sir Firoz Khan Noon (Labour Member).

The Honourable Mr. E. Raghavendra Rao (Civil Defence Member).

The Honourable Mr. R. R. Haddow (Bengal Chamber of Commerce).

The Honourable Mr. G. S. Bozman (Secretary, Indians Overseas Department).

WELCOME TO HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

THE HONOURABLE THE PRESIDENT : Your Excellency, on your first appearance in this supreme Council of India I consider it my duty to welcome you on behalf of the Honourable Members of this Council and myself and congratulate India on your appointment as Commander-in-Chief in India immediately after your arduous and responsible labours in the field of the war in the Middle East. Warm welcome has been already given to Your Excellency in India where your war exploits in the Middle East have struck the popular imagination. Your splendid victories in the Middle East, a vast and extensive country, have extorted the admiration not only of the Indian people but of the entire thinking world. For the last two years it has been felt all over Asia that the safety of India and many other countries situated in this Continent was indissolubly bound up with the success of your operations in the

Middle East. In the general scheme of warfare India is occupying the key position to which her geographical situation entitles her. In Your Excellency's own pregnant words which you recently emphasised "the Middle East was part of one whole with India in the centre, so also was the Far East". It is well known in this country that under your efficient control as Commander-in-Chief in the Middle East the Indian Army has played so magnificent and honourable part in the defence of Egypt, Syria, Iraq and Iran. I am in no way exaggerating matters when I state that Your Excellency's brilliant initiative and strategy have succeeded in preventing the invasion of the Sudan and Kenya, and led to the re-conquest of Abyssinia, Eritrea and Italian Somaliland and important parts of Libya; and to the heroic defence of Greece and Crete. It is a matter of no small satisfaction to us in India that a Commander of such talents, ability and attainments has been chosen for the supreme command of this country at a most difficult time in the history of India as base for the protection of this southern part of the world against Nazi invasion. Your Excellency has just returned to India after a brief official visit to Burma and Malaya. It is understood that during your visit, you have discussed many varied and important aspects of the Far East situation with Sir Robert Brooke-Popham in the light of the latest and most sensational developments that have taken place in Burma and the other parts of the Far East. Full and frank exchange of views that must have taken place between the two great Commanders now present in the East must have evolved a policy of co-ordination and mutual concert and assistance which is most certainly likely to considerably benefit the mutual and inter-dependent interests of India, Burma and the Far East. It is a matter of just pride to all Indians that their great country is now the pivot of the British eastern area of defence and is likely finally in relation to the whole empire war strategy in the eastern area to contribute to the successful termination of this great world war. We hope and pray that Your Excellency may be given strength to devise means to prevent the war spreading to our parts of the country and we are confident that the destinies of India, Burma and the Far East will be entirely safe under Your Excellency's guidance and protection.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Sir, I am deeply grateful to you for the very kind words of welcome you have just uttered. I need hardly say that I am very sensible indeed of the honour that has been done me in appointing me as Commander-in-Chief in India. As Commander-in-Chief in the Middle East, I was very conscious of the great debt I owed to India for the help she afforded both in troops and in materials. I can assure you, Sir, and Honourable Members that I shall do my very best, while in this appointment, to serve this great country of India and, as far as in me lies, to ensure her security in the present war. I thank you. (Applause.)

QUESTIONS AND ANSWERS.

BALLAST, ETC., PURCHASED BY THE E. B. R. AND E. I. R.

1. **THE HONOURABLE KUMAR NRIPENDRA NARAYAN SINHA:** Will Government refer to my question No. 1 (c) and the answer thereto given on the 19th November, 1940?

(a) Was the sum of Rs. 1,37,373 paid by the E.B.R. and the sum of Rs. 88,000 by the E.I.R. to Rai Bahadur Seth Teomal for

supplying materials from Pakur quarry only? If not, from what other quarries had he supplied materials for which he had been paid the above-mentioned sums?

- (b) For what years the said sums had been paid?
- (c) Were the materials of the Pakur quarry tested and approved by the Railways concerned? If so, will Government lay on the table the test report of the department concerned regarding the quality of the materials?
- (d) Whether the said Contractor Rai Bahadur Seth Teomal had supplied materials from other quarries? If so, will Government lay on the table the test reports of the quarries?
- (e) What other contractors had supplied ballast, stone chips and boulders to the Railways from 1930 to 1940?
- (f) Were there any contractors who supplied materials from Pakur station (E.I.R.)? If so, what are their names and addresses and what is the quantity of materials supplied and what are the amounts paid to them from 1930 to 1940?
- (g) Is there any quarry belonging to the Railways and worked by the Railways?
- (h) What was the actual average cost for the output of 100 cubic feet of boulders, 100 cubic feet of ballast and 100 cubic feet of stone chips from the railway quarries?

THE HONOURABLE MR. S. N. ROY : Information is being obtained from the Railway Administrations concerned and a reply will be laid on the table in due course.

BALLAST, ETC., PURCHASED BY THE E. B. R. AND E. I. R.

2. THE HONOURABLE KUMAR NRIPENDRA NARAYAN SINHA : Will Government refer to the statement laid on the table on the 19th November, 1940 in reply to my question No. 1 (a) in which the amount of ballast supplied to the Railways for the last ten years up to March, 1940 had been shown only? Why the full answer to my question was not given? Will Government lay on the table a statement showing the amount of ballast supplied during the period?

THE HONOURABLE MR. S. N. ROY : As Sir Leonard Wilson indicated in his reply, the statement gave the only information that is available and I regret I am not in a position to supplement it.

ACHIEVEMENTS OF INDIAN TROOPS IN THE VARIOUS THEATRES OF WAR.

3. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government make a statement regarding the notable achievements of Indian troops, in the various theatres of the war, subsequent to the statement which the ex-Commander-in-Chief was pleased to make on the floor of this House in answer to a question of mine in the last Budget session?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : It gives me much pleasure to respond to the request of the Honourable Member. As Commander-in-Chief in the Middle East for two years I can give personal testimony of the

splendid part played by the British and India troops from India in contributing to the destruction of Marshal Graziani's invading army in the Western Desert of Egypt, and to the extinction of the Italians' East African empire.

When my predecessor replied to a similar question on March the 10th last, he recounted the great achievements of the 4th and 5th Indian Divisions in the Western Desert and in the Sudan and Eritrea. At the time he spoke, the great majority of these troops stood before the towering heights of Keren, where the whole of the Italian forces in Eritrea, reinforced from Abyssinia, had gathered to bar further progress towards the capital, Asmara, and the port, Massawa, of the oldest Italian colony, on which they had spent so much money and such pride.

The Italians, with some justification, judged the Keren position impregnable, and I must confess that I had myself at one time doubts of our ability to break through. Not only had it great natural strength, but it had been fortified with much skill and was held by troops superior in numbers to the attackers. We made three attempts to storm this position, and were successful at the third attempt on March the 27th, after more than three weeks fighting. The gallantry and determination with which this position was carried will always be a proud memory in the history of the Indian Army.

The capture of Keren broke the resistance of the Italian army in Eritrea. Although the country between Keren and Asmara is immensely difficult, and there is at least one position equal in natural strength to that of Keren, the 5th Indian Division, which pursued the enemy, rapidly overcame resistance and Asmara surrendered on April the 1st, less than a week after the fall of Keren. Some attempt was made to defend the port of Massawa but this was soon captured and by the end of the first week in April the whole of Eritrea was in our hands and the threat to our communications through the Red Sea removed. The 5th Division continued the pursuit 200 miles southwards into Abyssinia and the final act of their campaign took place at Amba Alagi, a position even more naturally formidable than that at Keren. After a period of difficult fighting the Viceroy of Italian East Africa, the Duke of Aosta, surrendered to the Commander of the 5th Indian Division. At Amba Alagi the troops from the Sudan joined hands with General Cunningham's troops from East Africa, who had made a very remarkable advance by Kismayu, Mogadischio, Harrar and Addis Ababa. With the fall of Amba Alagi, Italian resistance in their empire of East Africa practically ceased, though there still remained considerable forces to be cleared up in the south-west of the country and one small pocket in the north-west, at Gondar. Indian troops from Aden had meanwhile taken part in a skilful little operation for the recovery of British Somaliland.

In a four months campaign from the middle of January to the middle of May, the 4th and 5th Indian Divisions had completed the conquest of Eritrea and of the northern half of Abyssinia. It was a very remarkable achievement. In the earlier stages of the war I had frequently discussed with my subordinate Commanders concerned whether a campaign from the Sudan against Eritrea had any good prospect of success. We had come to the conclusion that in view of the difficulties of the country it would require a minimum of two first class divisions, backed by a considerable weight of artillery and that even then it would be a long and costly process. We certainly never hoped that two divisions, with less than the ordinary amount of artillery, could accomplish the difficult task so swiftly and effectively.

The two Victoria Crosses awarded by His Majesty the King Emperor to soldiers of the Indian Army for deeds of valour in Italian East Africa are fitting marks of the courage displayed in this great achievement. The two recipients represent two categories of great importance in the Indian Army. Lieutenant Bhagatis is a fine example of the officer cadets selected for and trained in the Indian Military Academy before the war and represents the leadership of young educated India; while the late Subadar Richpal Ram is typical of the veteran class of Viceroy's commissioned officers, who for many years have formed the backbone of the Indian Army.

The turn of events elsewhere made it impossible for me to give these two Divisions any rest after their East African campaign. Immediately after the fall of Keren, I had ordered the 4th Indian Division back to Egypt, and even before the fall of Amba Alagi a great majority of the 5th Indian Division was ordered to follow. Their conquests in Eritrea are being garrisoned mainly by battalions of the Indian States Forces which have gone overseas.

The situation that necessitated the urgent recall to Egypt of the 4th and 5th Divisions will be remembered by Honourable Members. At the end of October, 1940, the Italians had made a wanton and unprovoked attack on Greece. They had been successfully repulsed by the gallant Greeks and had even been driven out of the greater part of southern Albania. Early in 1941 however it became obvious that the Germans were preparing to march through Bulgaria to attack the Greeks on the other side, and the Greek Government appealed to Great Britain for assistance. We were in honour bound to afford all possible aid to meet this unprovoked aggression; so practically the whole of the trained and equipped troops available in the Middle East were ordered to Greece, and our conquests in Cyrenaica were left to be held by a garrison of partly trained and partly equipped troops. I made a miscalculation here, I did not expect any enemy counter attack before the end of April at the earliest, by which time I hoped to have back at least a part of the seasoned Indian Divisions from Italian East Africa and to have completed the equipment of the troops left in Cyrenaica, which consisted of a British Armoured Brigade, an Australian Division and an Indian Motor Brigade. All these were short of equipment, transport and training. The Indian Motor Brigade had only arrived in the Middle East a month or two previously and I had sent it up to Cyrenaica to complete its training and to await the completion of its equipment. Unfortunately the enemy attacked at least a month before I had expected it possible.

The resistance put up for 48 hours by this Indian Motor Brigade at Mechili was a fine example of courage and determination. Even when surrounded by superior enemy forces with large numbers of tanks and artillery, the greater proportion of them succeeded in breaking through the enemy ring and escaping. One regiment of the Brigade, the 18th Cavalry, has for more than five months been sharing in the heroic defence of Tobruk, from which it has lately been relieved. I am told the Regiment claims to have bayoneted over 200 of the enemy.

No Indian troops, except for a few technical personnel, took part in the campaign in Greece or the defence of Crete; but Indian troops were at the same time engaged in a fresh theatre of war of great importance to the defence of India. Early in April, a political adventurer in the pay of the Axis, Rashid Ali, with the backing of certain highly placed Army Commanders in Iraq, overthrew the legitimate government and seized power by a *coup d'état*. To safeguard our interests in Iraq, so vital to the defence of India, an Indian Brigade landed at Basra in the middle of April and was followed by another by the end of the month. Rashid Ali, at the instigation of his German masters,

thereupon made an attack on the Air Force cantonment at Habbaniyah, 40 miles from Baghdad. I will not go into the details of this sorry business. Rashid Ali and his supporters, finding that the Germans who had instigated their crime were unwilling or unable to render them effective support and that the majority of opinion in their own country was against them, fled on the arrival of a small British force outside Baghdad, when the rebellion ended and the legitimate government was restored to power. Part of a Gurkha battalion flown up from Basra contributed to the successful defence and counter attack of the Air Force establishments at Habbaniyah, while Indian troops moving up from Basra soon restored order in the remainder of the country, where they are now on excellent terms with the inhabitants.

The next scene of operations was Syria. During the revolt in Iraq the Vichy French in Syria had allowed the Germans full use of their aerodromes and other facilities to assist the rebels in Iraq, and everything showed that the Germans were making preparations to obtain complete control of the country, contrary to the terms of the armistice, which the subservient French Government at Vichy allowed them to ignore without protest. This danger to our position in the Middle East could not be tolerated, and although the forces available were insufficient for a rapid occupation of Syria, we were compelled to take action forthwith. In these operations a brigade of the 4th Indian Division played an outstanding and distinguished part. It is not too much to say that the capture of Damascus which naturally had a very considerable effect on the campaign, was mainly due to the brilliant action of this brigade. They suffered severe casualties while fighting, almost alone and unsupported, in the village of Messe against heavy guns and tanks, but their self sacrifice secured the capitulation of Damascus. Temporarily a considerable number of that brigade became prisoners of the Vichy French, but happily the whole of these prisoners were returned shortly after the armistice.

Indian units from Iraq also took part in the Syrian campaign, moving across the Desert towards Aleppo.

Finally, there is the recent action in Persia. Once again the agents of the Axis were endeavouring to prepare the way for German occupation of Persia and the sabotage of our interests. Honourable Members will appreciate what a danger to the defence of India this would have involved. Representations to the Persian Government having proved unavailing, it was impossible to accept the danger both to our oil supplies and to the general defence of India, and British and Indian troops advanced into Iran at two points on August the 25th, while our Russian allies moved in from the north. Fortunately, although there were one or two sharp encounters, the swiftness and efficiency with which the move was executed and the obvious unwillingness of the Iranian people themselves to resist brought hostilities to an end in a few days with little loss of life. A new Iranian government was established with which we are closely co-operating.

Meanwhile other Indian troops were engaged in the Western Desert, especially in some operations on the Egyptian frontier in the middle of June, in which they conducted themselves with their usual gallantry. Although we were finally compelled to withdraw, these operations were successful in causing the enemy severe loss and in stopping any danger of an invasion of Egypt.

The above gives a brief record of the exploits of Indian troops during the last three or four months. I should like to inform Honourable Members that a booklet will shortly be published giving a history of the campaigns in which Indian troops have been engaged since the beginning of the war up to the end of the campaign in Syria. It is entitled, I understand, *The Tiger Strikes*.

I am sure Honourable Members will agree that the record of Indian troops in this war is a most impressive one, and I am proud to have had these troops under my command in several theatres. Their training, their discipline, physique, and morale have excited admiration wherever they have been and I can assure you that the military reputation of India's fighting men stands very high in all parts of the Middle East. When I was at home recently, I enquired after the Indian transport contingent which went to France at the beginning of the war, took part in the battles in France and is now in England. I had not the opportunity to see them, but I was informed that in England as elsewhere their bearing and behaviour was excellent, and my requests for their return to India were met with a reluctance to spare them. I have also recently visited Burma and Malaya and have seen as many as I could of the Indian troops there. I can assure you of their welfare and of the good impression they have created.

India's troops are serving at a considerable distance from their homes but they are none the less fighting India's battles and are by their skill and courage preventing the approach of war to India itself.

PRECAUTIONS TAKEN TO PROTECT THE COLLECTIONS HOUSED IN THE INDIAN MUSEUM, ETC.

4. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** (a) Will Government state without divulging secrets whether they have taken adequate precautions for saving the numerous scientific, artistic, and other valuable collections housed in the Indian Museum, Calcutta, and the Victoria Memorial, Calcutta, in the event of possible air raids ?

(b) Have similar steps been taken for the protection of Imperial valuable articles in Delhi or New Delhi ?

THE HONOURABLE MR. G. S. BOZMAN : (a) Arrangements are being made in consultation with the Provincial Government for the removal of valuable and irreplaceable articles in the Indian Museum collections to another place. It is proposed to store articles which cannot easily be removed in the basement godowns. Appliances for extinguishing fires are being provided and estimates have been prepared for the construction of tube wells and reservoirs to provide an additional water supply for the same purpose.

(b) Arrangements are being made for the removal of important collections in the Central Asian Museum from Delhi if the necessity arises.

SIMLA IMPROVEMENT SCHEME.

5. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** (a) Was a conference sometime ago held in Simla to consider a scheme for the improvement of Simla's civic amenities, which among others was attended by a representative of the Central Government ?

(b) What is the general outline of the scheme and its financial implications ?

THE HONOURABLE MR. G. S. BOZMAN : (a) and (b). An informal conference to discuss the improvement of slum conditions existing in Simla was held in New Delhi in February, 1940. As a result of that conference and of further investigations a programme of improvements has been prepared consisting of the following works :—

- (i) construction of barracks for the housing of coolies,

- (ii) improvement of the sewerage system,
- (iii) improvement of the water supply,
- (iv) improvement of communications.

The expenditure, which will be spread over a term of years, has been estimated at about Rs. 25 lakhs, half of which will be borne by the Central Government and half by the Provincial Government and the Simla Municipal Committee.

GUARDING OF RAILWAY LINES, BRIDGES, ETC.

6. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Has there been any correspondence between the military authorities and the Police Department of the United Provinces Government or the Provincial Government concerned, on the subject of guarding of railway lines, bridges, etc., by soldiers ? If so, what are the concrete proposals, or the changes introduced in the present arrangements, and what decision has been arrived at ?

THE HONOURABLE MR. E. CONRAN-SMITH : Yes. As a temporary war measure, in order to release certain military units for other purposes, the Government of the United Provinces has agreed to raise a Special Police Force, the cost of which will be met from Defence Estimates, to take over the guarding of certain railway lines in that Province.

MR. SUBHAS CHANDRA BOSE.

7. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Is there any information in the possession of Government to indicate where Mr. Subhas Chandra Bose, who disappeared from Calcutta a few months ago is at present and what are his activities ?

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary) : It has been common talk in certain quarters in this country for some time that Subhas Chandra Bose is either in Rome or in Berlin and has entered into a pact with the Axis Powers to assist by Fifth Column methods any German invasion of India. Leaflets to this effect have made their appearance in this country and leave no doubt that he has gone over to the enemy.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : May I ask, Sir, what is the source of this information ?

THE HONOURABLE MR. E. CONRAN-SMITH : I have already indicated, Sir, that the source is certain leaflets which have appeared in this country. They are too long to read out in the House but I shall be glad to show them to any Honourable Member who wishes to see them. I may perhaps, Sir, read out one or two extracts. Here is an extract from one of the leaflets :—

“ The day has arrived for rebellion in India. A pact has been signed at a conference in Berlin. The revolutionary Subhas Bose was also present there ”.

Here is another :—

“ He (that is Subhas Bose) is now in a European country and is maintaining close contact with the revolutionary movement in India. He has already issued a statement signed by his own hand. He is busy with certain foreign powers ”.

Possibly one more extract will suffice :—

“ The following is a declaration from Berlin of the Chief of the Gadar Party, the revolutionary Subhas Chandra Bose of Hindustan ”.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Has Government any information as to how he transported himself to Berlin or to Rome ?

THE HONOURABLE MR. E. CONRAN-SMITH : No, Sir, I have no information.

REPRESENTATION FROM THE ORISSA GOVERNMENT FOR A SUBSIDY FOR ESTABLISHING A UNIVERSITY.

8. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Have Government received any representation from the Government of Orissa for a subsidy for establishing a separate university for Orissa, or to organise post-graduate teaching ? If so, what do Government propose to do in the matter and is it intended to place the proposal before the Central Legislature ?

THE HONOURABLE MR. G. S. BOZMAN : The reply to the first part of the question is in the negative. The second part does not arise.

MANUFACTURE OF PARACHUTES.

9. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government state what steps, if any, they have taken to explore the possibility of obtaining fabrics produced from indigenous silk on hand looms or otherwise in this country for being used for the manufacture of parachutes ? If so, with what result ?

THE HONOURABLE MR. A. DEC. WILLIAMS : A conference of Government of India Representatives, Provincial Directors of Industries and of Sericulture, and producers and manufacturers met on the 22nd August, 1941, to consider the production in India by power and also by hand looms of parachute fabric and other textile parachute components from indigenous silk. A number of samples have been approved and supplies of hand woven fabric made from indigenous silk have been obtained from which experimental parachutes are under construction ; if they are found satisfactory, bulk production, arrangements for which are already in train, will be started.

OFFICER ON SPECIAL DUTY IN THE ARCHAEOLOGICAL DEPARTMENT.

10. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Has the attention of Government been drawn to an advertisement published in the *Pioneer*, dated the 27th June, 1941 (first dak edition), over the signature of the Secretary, Federal Public Service Commission, Delhi, inviting applications for the post of " Officer on Special Duty under the Archaeological Chemist in India. Only Muslims eligible " ? Why this communal discrimination and why should not the most qualified Indian available be appointed ?

THE HONOURABLE MR. G. S. BOZMAN : The reply to the first part is in the affirmative.

Part 2.—The post is borne on the ordinary cadre of the Archaeological Survey and is subject to the rules relating to reservation of posts on a communal basis contained in the Home Department Resolution dated the 4th July, 1934. Under the operation of those rules this vacancy was to be filled by the appointment of a Muslim. As however no suitable Muslim candidate with the necessary qualifications is forthcoming, it has now been decided to re-advertise the post as unreserved.

EUROPEAN REFUGEES FROM THE BALKANS AND ELSEWHERE.

11. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** Is it a fact that many Balkan refugees are or were lately in the United Provinces or in other Provinces? If so, what is their number or whether they are being maintained at the expense of His Majesty's Government in England or at the expense of the Central revenues? What is the approximate cost involved?

THE HONOURABLE MR. E. CONRAN-SMITH : The Government of India have agreed, on the request of His Majesty's Government to receive and accommodate a number of European British subjects and also of subjects of Allied Powers who have been or may have to be evacuated from various theatres of war. Evacuees who are destitute or semi-destitute are, and will be, provided with public assistance, but the cost of all such assistance is recoverable and to the extent that it is not recovered the expenditure, although borne initially by Indian revenues, will be recoverable from His Majesty's Government or through His Majesty's Government from the Government of the Allied State of which the refugees are subjects. The approximate numbers of European refugees from the Balkans and elsewhere who had arrived in India up to 30th September are as follows :—

European British subjects		1,110
Allied subjects—		
(a) Poles	}	160
(b) Yugoslavs		
(c) Czechs		
Total		1,270

THE HONOURABLE MR. P. N. SAPRU : Am I right in understanding that the cost will be eventually recoverable from the Allied Governments and that the Government of India will not be involved finally in any cost on account of these refugees being here?

THE HONOURABLE MR. E. CONRAN-SMITH : I think I have made it perfectly plain, Sir, that the cost is recoverable from His Majesty's Government. His Majesty's Government will, so far as they can, recover from the Governments of other countries to which these people belong the cost of maintaining them.

SALT AREAS IN ORISSA.

12. **THE HONOURABLE MR. N. K DAS :** (a) Is it a fact that quite a large number of salt fields and salt manufacturing centres situated in Orissa is still under the control of the Madras Government?

(b) Do Government propose to place these areas under the control of the Government of Orissa?

(i) If so, when?

(ii) If not, why not?

(c) Do Government propose to establish a Salt Department in Orissa and place the salt areas of Orissa under the control of that Department subject to the control of the Government of India? If so, how soon?

THE HONOURABLE MR. C. E. JONES : (a) No. The salt fields and manufacturing centres situated in the Ganjam district of Orissa are under the control of the Collector of Salt Revenue, Madras, who is an officer of the Central Government.

(b) and (c). Control over salt manufacture in the remainder of Orissa has been entrusted to the Government of Orissa. The Government of India are, however, considering the question of taking over salt administration in these areas.

THE HONOURABLE MR. N. K. DAS : May I ask, Sir, if the salt fields of Ganjam will be transferred to the Orissa Government ?

THE HONOURABLE MR. C. E. JONES : No, Sir. They are under the control of the Central Salt Administration in Madras and there is no proposal to transfer them to the Government of Orissa.

THE HONOURABLE MR. N. K. DAS : What is the difficulty about transferring these salt fields to the administration of the Orissa Government subject to the control of the Government of India ?

THE HONOURABLE MR. C. E. JONES : The administration of salt is a Central subject, which normally is administered by the Central Government as is the case in the Province of Madras. These salt manufacturing centres in the Ganjam district were previously under the administration of the Central Government through the Collector of Salt Revenue in Madras, and there is no reason for changing this. In the remainder of the Orissa Province where salt manufacturing, I believe, is on a very small scale and the work is mainly preventive, it has been handed over by agreement to the Government of Orissa ; but, as I have just stated, the Government of India are contemplating taking over the salt administration in these areas also under Central control.

EFFECT OF THE INDO-BURMA IMMIGRATION AGREEMENT ON EMIGRATION OF UNSKILLED LABOUR.

13. **THE HONOURABLE MR. N. K. DAS :** (a) Has Government ascertained what number of unskilled labour has been thrown out of employment as a result of the conclusion of the Immigration Agreement with the Government of Burma ?

(b) If so, will Government please give figures of such affected people in each province ?

(c) If not, do Government propose to collect these figures at an early date ?

THE HONOURABLE MR. G. S. BOZMAN : (a) No.

(b) and (c). Government are aware that a large number of unskilled labourers may be affected by the prohibition of emigration of unskilled labour to Burma, but it is not possible to estimate in any year how many such labourers might wish to emigrate.

SYNTHETIC INDIGO.

14. **THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA :** (a) What quantities of synthetic indigo have been imported into India—

(i) since the commencement of the war, and

(ii) from what countries ?

(b) Has it been the policy of Government to encourage the production of natural indigo in India since the commencement of the war? If so, what steps have they taken to do so?

(c) Are Government satisfied that none of the imports of synthetic indigo since the commencement of the war have come from enemy or enemy occupied countries?

(d) What steps have Government taken to prevent synthetic indigo from enemy sources being imported into India, and when were these steps taken?

(e) Is it a fact that there has been no shrinkage in the imports of synthetic indigo into India since the commencement of the war and has the export of natural indigo been stopped?

THE HONOURABLE SIR ALAN LLOYD: (a) (i) From September, 1939 to August, 1941, 149,812 lbs. of indigo (coal tar dye) were imported into India.

(ii) From the United Kingdom, Aden and Dependencies, Hong Kong, Germany, France, Switzerland, Italy, Japan, China and United States of America.

(b) At the beginning of the war, the position of the natural indigo industry was reviewed by Provincial Governments at the instance of the Central Government which is interested in investigating ways and means of stabilizing this industry. Development of Industries is a Provincial subject and any measures taken for the encouragement of the production of natural indigo must largely be left to the initiative of the Provincial Governments.

(c) Yes.

(d) The provisions of the Defence of India rules relating to trading with enemy, as well as the organisation of the Controller of Enemy Trading are considered to be quite effective for the purpose of preventing goods of enemy origin from being imported into India. These Rules were enforced at the outbreak of the war.

(e) There has been a definite shrinkage in the imports of synthetic indigo.

The export of natural indigo has not been stopped, but is permissible only under licence from the Government. The control is exercised only as a precautionary measure against any shortage in this country.

BAN ON REMITTANCE OF MONEY BY INDIANS IN INDO-CHINA.

15. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that the authorities in Indo-China have imposed a ban on the remittance of money by Indian residents in Indo-China, which has resulted in great hardships to the Indians concerned?

(b) Will Government make a statement regarding the position arising out of the freezing of assets in India of the Bank of Indo-China, and the steps taken by Government in this connection, in the interests of Indian residents in the country?

THE HONOURABLE SIR ALAN LLOYD: (a) Government are aware of the ban.

(b) The Bank of Indo-China is an enemy within the meaning of rule 97(c) of the Defence of India Rules and its assets in India being enemy property have been vested in the Custodian of Enemy Property. No disbursements out of such vested assets are permissible except for special reasons. Since

the freezing of the Bank's assets in India, the authorities in Indo-China have imposed a ban on remittances to India from Indians resident in Indo-China. The Pondicherry branch of the Bank of Indo-China has, however, been permitted, by special arrangements, to make monthly payments on behalf of the branches in Indo-China to individuals in French or British India subject to certain limits. The question as to what further arrangements are possible in regard to payment in British India of family remittances made by Indians in Indo-China is engaging the earnest attention of Government.

LOSS OR DAMAGE SUFFERED BY RAILWAYS DURING THE 1941 MONSOON.

16. **THE HONOURABLE MR. M. N. DALAL :** Will Government lay on the table of the House a statement showing the loss or damage suffered by the several Railway companies in India during the last monsoon in 1941, distinguishing particularly between—

- (a) damage or loss, due to floods, such as breaches on the lines, break-down of bridges, stations, sheds, etc. ; and
- (b) damage or loss, due to loss of traffic because of the interruption of communications or diversion of traffic due to any reason mentioned in (a) above ?

THE HONOURABLE MR. S. N. ROY : (a) and (b). A summary of the flood damages will appear as usual in the 1941-42 Annual Report of the Railway Board. Any advantage to be gained by collecting the other information called for would not be commensurate with the labour involved especially in war time.

B. B. & C. I. R.

17. **THE HONOURABLE MR. M. N. DALAL :** Will Government state the terms and conditions on which they propose to acquire the assets and business of the B. B. & C. I. R. Company ? What allowance, if any, will be made, while assessing the payment to be made to the Company, for the loss or damage suffered on account of any of the factors mentioned in the preceding question ? How far is such compensation or allowance in accord with the terms of the original agreement with that Company ?

THE HONOURABLE MR. S. N. ROY : The property in the B. B. & C. I. R. belongs to Government. The contract under which the Company work the line on behalf of Government is proposed to be terminated on payment to the Company of their share capital amounting to £2 million (Rs. 2½ crores at 1s. 6d. in the rupee). In addition, Government have, in terms of the contract, to assume liability for payment of debentures of the value of £1 million, which have not been discharged or redeemed by the Company. The contract with the Company does not permit of Government's making any deduction on account of losses or damages mentioned in the preceding question put by the Honourable Member.

FACTORS ACCOUNTING FOR THE RECENT INCREASE OVER BUDGET AND REVISED ESTIMATES IN RAILWAY RECEIPTS.

18. **THE HONOURABLE MR. M. N. DALAL :** (a) Will Government state the principal factors, which account for the recent increases over Budget and Revised Estimates in railway receipts ?

(b) Have Government adopted any steps, whereby wide variations between estimates and actuals in budget-making could be minimised, if not avoided altogether ?

THE HONOURABLE MR. S. N. ROY : (a) and (b). The principal cause of variation from the estimates lies in the abnormal conditions created by the war. These affect the traffic situation in many ways, e.g., by increasing the movement of materials and personnel required in connection with the war effort, by disturbing markets and altering the normal distribution of traffic between rail, road, river and sea. The extent to which these factors will operate within any particular period cannot be foreseen. In this connection, the attention of the Honourable Member is invited to para. 22 of the speech in the Legislative Assembly of the Honourable Member for Railways introducing the Budget for 1941-42, and to paras. 9 and 35 of the memorandum explanatory of the budget.

UNITED KINGDOM COMMERCIAL CORPORATION.

19. **THE HONOURABLE MR. M. N. DALAL :** Are Government aware that the United Kingdom Commercial Corporation established last year under the Chairmanship of Lord Swinton, to promote British trade, has appointed a special representative in India ? Will Government state what connection, if any, this Corporation has with the British Government, as also with the Government of India ?

THE HONOURABLE SIR ALAN LLOYD : Yes. The capital of the United Kingdom Commercial Corporation is understood to have been subscribed by the British Treasury. The Corporation has no connection with the Government of India and is normally working in India through trade channels. It is, however, arranging some of its purchases through the Supply Department.

POST-WAR FOREIGN TRADE.

20. **THE HONOURABLE MR. M. N. DALAL :** What steps have Government taken, or propose to take, to safeguard the interests of India's foreign trade, and particularly with the United Kingdom, after the war ? What co-operation, or facilities, have Government offered to the United Kingdom Commercial Corporation's special representative, investigating the possibilities of promoting British trade with India ? And how do such co-operation or facilities react upon the corresponding interests of India's foreign trade, particularly with the United Kingdom ?

THE HONOURABLE SIR ALAN LLOYD : The question of safeguarding the interests of India's foreign trade after the war will be duly considered by one of the Reconstruction Committees which are proposed shortly to be appointed to deal with the various post-war economic problems.

The United Kingdom Commercial Corporation's representative in India is not investigating the possibilities of promoting British trade with India, and no special facilities have been offered to him in this direction. He generally operates as far as possible through normal commercial channels.

REASONS FOR IMPOSING A SYSTEM OF RATION, OR CONTROLLING, THE SUPPLY OF PETROL, ETC.

21. **THE HONOURABLE MR. M. N. DALAL :** Will Government state the reasons and considerations which have led them to impose a system of

rationing, or controlling, the supply of (i) petrol, (ii) iron and steel goods, and (iii) textiles? Do Government propose to take this Honourable House into their confidence in regard to the experience already gained of the working of the system of control, or rationing, and the reaction that the system has had hitherto on the country's industry, trade and general contentment?

THE HONOURABLE SIR ALAN LLOYD : (i) Petrol: the reasons and considerations that led the Government to impose a system of rationing motor spirit are the expected shortage in the supply of motor spirit and the imperative need to build up an adequate stock to meet a possible emergency.

(ii) Iron and steel: the reason for controlling the distribution of iron and steel is the shortage of the available supply of iron and steel goods as against known demands.

(iii) Textiles: I am not aware that a system of rationing of textiles has been introduced in this country. I regret I do not follow what information is required by the Honourable Member in the concluding part of this question.

REPORT OF THE EASTERN GROUP CONFERENCE.

22. **THE HONOURABLE MR. M. N. DALAL :** Will Government state when the Report of the Eastern Group Conference will be laid on the table of this House? Will Government be pleased to state whether an opportunity will be provided to discuss the main recommendations of the said Conference, before action is taken by Government on the same?

THE HONOURABLE MR. A. DEC. WILLIAMS : Government do not intend to place the Report of the Eastern Group Conference on the table of this House. The main recommendations of the Conference were the establishment of a Central Provision Office in India under the control of an officer of the Imperial General Staff and the establishment of Local Provision Offices in the countries and Commands of the Group; and the constitution of an Eastern Group Supply Council on which His Majesty's Government in the United Kingdom are represented by the Chairman and the major countries of the Eastern Group including India by Members. The primary function of the Council is to allocate the demands of the Central Provision Office in a defined field among participating Governments who thereupon take responsibility for meeting them. Action has already been taken on the main recommendations of the Conference and the second part of the question therefore does not arise.

Per capita CONSUMPTION OF SUGAR AND GUR.

23. **THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA :** Will Government state whether any reliable figures are available of the *per capita* consumption of sugar and gur in India? If so, will they state the consumption of sugar and gur year by year from 1932-33 to 1940-41?

THE HONOURABLE MR. G. S. BOZMAN : In the absence of direct consumption statistics, it is not possible to obtain precise figures for the *per capita* consumption of sugar and gur in India. But figures calculated on the basis of the sugar and gur available for consumption are believed to be fairly reliable and are given in the statements laid on the table.

I.—Consumption of sugar in India.

Year Nov./Oct.	Sugar avail- able for consumption. Tons.	<i>Per capita</i> consumption in lbs.
1932-33	1,006,000	6.3
1933-34	996,000	6.1
1934-35	1,059,000	6.5
1935-36	1,074,000	6.5
1936-37	1,167,000	7.3
1937-38	1,159,000	7.2
1938-39	1,073,000	6.6
1939-40	1,074,000	6.5
1940-41	Not yet available.	

In calculating the figures no allowance has been made for the difference between the initial and closing invisible stocks in the interior markets. The imports of sugar into British India across the land frontiers of the French and Portuguese Settlements have also not been taken into account. The error on account of these two factors is, however, believed to be slight.

In computing *per capita* consumption the population has been assumed to have been increasing at a constant rate.

II.—Consumption of gur in India.

Year Nov./Oct.	Gur avail- able for consumption. Tons.	<i>Per capita</i> consumption in lbs.
1932-33	3,240,000	20.2
1933-34	3,486,000	21.5
1934-35	3,701,000	22.6
1935-36	4,101,000	24.8
1936-37	4,268,000	26.7
1937-38	3,364,000	20.9
1938-39	2,131,000	13.1
1939-40	2,441,000	14.9
1940-41 (Subject to revision)	3,410,000	20.6

Whatever gur is produced in the country is available for consumption, the export and import of gur being negligible.

TOTAL AMOUNT SPENT ON SUGARCANE RESEARCH, ETC.

24. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA :
(a) Will Government state the total amount of money that has been spent on the sugarcane research since the grant of protection to the sugar industry each year, and the various directions in which the amount has been spent ?

(b) What is the annual expenditure incurred by the Government of India on the sugar research work during the last four years ?

THE HONOURABLE MR. G. S. BOZMAN : (a) and (b). Information, as far as available is given in the statements laid on the table.

STATEMENTS.

(a)—

(1) Amounts spent by the Imperial Council of Agricultural Research on sugar research.

Year.	Amount spent (in thousands).	Direction in which spent.
	Rs.	
1931-32	1,32	(i) Production and testing of new varieties of sugarcane.
1932-33	2,48	(ii) Devising and testing systems of cultivation and manuring.
1933-34	3,37	(iii) Study and combating of insect pests and diseases.
1934-35	4,01	(iv) Use of molasses as manure and cattle feed.
1935-36	4,79	(v) Sugar Research and Testing Station, Bilari.
1936-37	3,89	(vi) Grading of Gur and Boora.
1937-38	3,47	(vii) Manufacture of Sugar candy.
1938-39	3,25	(viii) Bureau of Sugar Standards.
1939-40	3,57	(ix) Sugar Marketing Survey.
1940-41	3,19	(x) Utilisation of bagasse for the paper and board industry.

(2) Expenditure on the Imperial Institute of Sugar Technology.

Year.	Amount.	Remarks.
	Rs.	
1936-37	1,27,500	The Institute was established on the 1st April 1936 for research on sugar technology and training of students.
1937-38	3,01,000	
1938-39	2,86,603	
1939-40	3,31,835	
1940-41	3,33,260	

(3) Payments from Sugar Excise Fund to the Provincial Governments.

Year.	Amount.	Remarks.
	Rs.	
1935-36	7,43,424	The Fund was established with effect from the year 1934-35, but the first payments were made in 1935-36.
1936-37	7,87,613	
1937-38	1,26,055	
1938-39	4,07,964	
1939-40	18,52,141	
1940-41	7,80,102	

(b)—

Expenditure incurred by Government of India.

Year.	Grant to Imperial Council of Agricultural Research for sugar research.	Expenditure on Imperial Institute of Sugar Technology.	Payment to Provinces from Sugar Excise Fund.	Total.
	Rs.	Rs.	Rs.	Rs.
1937-38	4,25,000	3,01,000	1,26,055	8,52,055
1938-39	3,51,000	2,86,603	4,07,964	10,45,567
1939-40	2,28,000	3,31,835	18,52,141	24,11,976
1940-41	3,00,000	3,33,260	7,80,102	14,13,362

Note.—The above figures do not include expenditure on the maintenance of the Sugarcane Station, Coimbatore, which forms an integral part of the Imperial Agricultural Research Institute.

ALLOCATION TO PROVINCES FROM THE SUGAR EXCISE FUND.

25. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will Government state the amount of money that has been allotted to the various provinces out of the sugar excise duty in the years 1937-38, 1938-39, 1939-40 and 1940-41, and what allotment may be expected in 1941-42 for meeting the condition of cultivation and marketing of cane ?

THE HONOURABLE MR. G. S. BOZMAN : The Honourable Member presumably refers to the allocation made annually to the Provinces from the Sugar Excise Fund. A statement covering the period 1937-38 to 1940-41 is laid on the table. The allotment for 1941-42 has not yet been settled.

Statement of amounts which have been allotted to or earmarked for Provincial Governments out of the Sugar Excise Fund in the years 1937-38, 1938-39, 1939-40 and 1940-41.

Province.	Amount allotted in			
	1937-38.	1938-39.	1939-40.	1940-41.
	Rs.	Rs.	Rs.	Rs.
Madras	12,000	16,000	15,000	16,950
Bombay	42,000	36,000	35,000	42,375
Bengal	30,000	20,000	10,000	14,125
United Provinces	7,20,000	4,80,000	2,95,000	2,32,050
Punjab	18,000	12,000	7,500	8,475
Bihar	3,42,000	2,32,000	1,35,000	1,58,200
Orissa	6,000	4,000	2,500	2,825

ALLOCATION OUT OF SUGAR EXCISE DUTY FROM ONE TO THREE ANNAS PER CENT FOR RESEARCH.

26. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will Government state whether their attention has been drawn to the suggestion made from several quarters for the allocation of at least three annas per cwt. out of the sugar excise duty for research work in the various Provinces and whether they propose to do so ?

THE HONOURABLE MR. G. S. BOZMAN : Government are aware of the suggestion, but regret that in the present circumstances, it is not possible to increase the allocation out of the sugar excise duty from one anna to three annas per cwt.

STATISTICS OF AREA UNDER SUGARCANE AND AVERAGE YIELD PER ACRE.

27. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will Government lay on the table the statistics of the area under sugarcane both of improved and ordinary varieties in 1938-39, 1939-40, 1940-41 and 1941-42 and the average yield of cane per acre in areas under improved varieties and under ordinary varieties, and state the reasons for such fluctuations in the area ?

THE HONOURABLE MR. G. S. BOZMAN : A statement giving the required information, as far as available, is laid on the table. It is not possible to assign precise reasons for the fluctuations in area, but it has been suggested that the initial increase may have been due to the high prices for cane paid by the factories in the United Provinces and Bihar in 1938-39 and 1939-40, and the subsequent fall to restriction of sugar production in these Provinces since 1940-41 by fixation of crushing quotas.

STATEMENT.

Area under sugarcane and yield per acre during the years 1938-39 to 1941-42.

Crop season.	Area (in thousand acres)			Yield of cane in tons per acre.*
	Improved varieties	Other Varieties.	Total.	
1938-39 . . .	2,674	574	3,248	11
1939-40 . . .	2,894	897	3,791	13
1940-41 . . .	Not yet known.		4,710	12.55 subject to revision.
1941-42 . . .	Not yet known.		3,691	Not yet known.

* Separate figures for the yield of cane per acre for the areas under improved and ordinary varieties are not available.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary): Sir, I lay on the table a copy of the notification of the Government of India in the Home Department No. 21/33-1/40-Political (e), dated the 12th July, 1941, making certain further amendment in the Foreigners Exemption Order, 1939, published with the notification of the Government of India in the Home Department No. 21/32/39-Political, dated the 21st June, 1939.

HOME DEPARTMENT.

NOTIFICATION.

Simla, the 12th July, 1941.

No. 21/33-1/40/Political (E).—In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Registration of Foreigners (Exemption) Order, 1939, published with the notification of the Government of India in the Home Department No. 21/32/39-Political, dated the 21st June 1939, namely:—

To the Declarations set out in the said Order, the following Declaration shall be added, namely:—

“7. That the provisions of sub-rules (1) and (3) of rule 10 of the Rules shall not apply to, or in relation to, any foreigner who is absent from the district of his registered address and who has furnished in respect of such absence a report in pursuance of paragraph 10 of the Foreigners Order, 1939, to the Registration Officer of the district of his registered address so long as the said report shall substantially comply with the requirements of the said sub-rules.”

H. J. FRAMPTON,

Joint Secretary to the Government of India.

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary): Sir, I lay on the table a copy each of the following notifications of the Government of India in the Department of Commerce making certain amendments in the Insurance Rules, 1939 :—

- (1) No. 597-I(2)/40, dated the 1st February, 1941.
- (2) No. 597-I(2)/41, dated the 2nd August, 1941, and
- (3) No. 597-I(3)/41, dated the 16th August, 1941.

DEPARTMENT OF COMMERCE.

NOTIFICATIONS.

INSURANCE.

New Delhi, the 1st February, 1941.

No. 597-I (2)/40.—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following amendments shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely :—

In rule 8 of the said Rules—

- (1) in sub-rule (2), for the words " shall be " the words and figure " shall, at the option of the depositor, be either paid in London by the London Office of the Bank after deduction of a commission of 5s. on every sum of £100 or part thereof, or " shall be substituted;
- (2) in sub-rule (3), for the words " and amounts " the words " and amounts if any ", shall be substituted.

H. C. PRIOR,

Additional Secretary to the Government of India.

Simla, the 2nd August, 1941.

No. 597-I (2)/41.—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following further amendment shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely :—

For Forms, V and VI of the Forms set forth in the Schedule annexed to the said Rules, the following Forms shall be substituted, respectively, namely :—

" FORM V.

(See Rule 16).

Application for a licence to act as an Insurance Agent.

To

The Superintendent of Insurance,
Department of Commerce,
New Delhi.

SIR,

I request that a licence to act as an insurance agent may be granted to me. Necessary particulars are given below. The fee of Rs. _____ has been paid, *vide* bank/treasury receipt attached.
your letter No. _____ dated _____

2. I, the applicant, declare that the answers below are true and that the licence for which I hereby apply will be used only by myself for soliciting or procuring insurance business.

Yours faithfully,

Signature.

Date 194 .

- (1) Full name of the applicant in block letters. (State whether Mr., Mrs. or Miss). (1)
- (2) Father's or Husband's name (Strike out portion not required). (2)
- (3) Full address (in block letters) stating the name of the Province or Indian State in which the address is situate. (3)
- (4) Age and date of birth in Christian era. (4)
- (5) Number and date of the last licence held, if any (5)
- (6) Date of expiry of the last licence held, if any. (6)
- (7) Has the applicant been found to be of unsound mind by a Court of competent jurisdiction? (7)
- (8) Has the applicant been found guilty of criminal mis-appropriation or criminal breach of trust or cheating or forgery or an abetment of or attempt to commit any such offence by a Court of competent jurisdiction? (8)
- (9) In the course of any judicial proceeding relating to any policy of insurance or the winding up of an insurance company or in the course of an investigation of the affairs of an insurer has the applicant been found guilty of or to have knowingly participated in or connived at any fraud, dishonesty or misrepresentation against an insurer or an insured? (9)
- (10) Has the applicant's licence been cancelled at any time by the Superintendent of Insurance and if so, when? (10)
- (11) Has an application for a licence ever been refused? If so, when and by whom? (11)

[To be filled in by the insurer or chief agent, if the application is submitted through him. In the case of applications submitted in bulk this endorsement should be filled in for each application.]

Forwarded to the Superintendent of Insurance, New Delhi, with the request that the licence, if granted, may be sent to us for transmission to the party/parties concerned. The fee direct to the agent

of Rs. _____ in respect of this application has been paid into the

bank/treasury, vide consolidated chalan for Rs..... and list attached.

vide your letter No. _____ dated _____

Signature of sender.

(Full address of sender)

No. . .

Dated the _____

NOTES.

1. The attention of the applicant is drawn to section 104 of the Insurance Act, 1938, which provides that whoever in any document required for the purposes of any of the provisions of that Act, wilfully makes a statement false in any material particular, knowing it to be false, shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to one thousand rupees, or with both.

2. This application should be accompanied by a treasury or bank receipt obtained as laid down in Rule 16 of the Insurance Rules, 1939, unless it is submitted through an insurer, etc., with a consolidated chalan. Payment by money order, cheque or postal order will not be accepted. The fee should be paid for credit under the head "XXXVI-Miscellaneous Departments—Miscellaneous—Fees realised under the Insurance Act, 1938". Care should be taken to see that the name given in the treasury or bank receipt is identical with that shown against item (1) of the application form.

3. Every question should be clearly answered in words and not by putting a dash or a cross.

4. An applicant must be 18 years or over on the date of submission of the application.

5. It is requested that the application may be filled in as far as possible in the English language. Where it is not possible to do so, at least the name and address of the applicant and the father's or husband's name should be transliterated in English in block letters.

6. If this application is for renewal of the existing licence held, it should be submitted not more than 3 months before the date of its expiry.

7. No acknowledgment of this application will be sent. If one is required the application should be sent by registered post (Acknowledgment due).

(FOR USE IN THE OFFICE OF THE ISSUING AUTHORITY).

No. I. L. ()/4, dated New Delhi, the 194 .

Returned with the bank/treasury receipt with the remarks that

To *Assistant Superintendent of Insurance.*

Re-submitted with/without the bank/treasury receipt.

Dated the

Signature of sender.

To

The Superintendent of Insurance,
New Delhi.

FORM VI.

(See Rule 16.)

No. of Licence

Licence to act as an Insurance Agent under Part II of the Insurance Act, 1938.

of

having paid the prescribed fee and having made the necessary declaration is hereby authorised to act as an Insurance Agent up to

Dated the

day of

194 .

Superintendent of Insurance.

Signature of Licence-holder to be made
as soon as licence is received.

NOTE.—If it is desired to renew this licence for a further period the procedure laid down in rule 16 of the Insurance Rules, 1939, shall be followed and an application for renewal should reach the issuing authority not more than three months before the existing licence expires."

Simla, the 16th August 1941.

No. 597-I. (3)/41.—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following further amendment shall be made in the Insurance Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely :—

1. In rule 16—

(a) in clause (a) for the words “ a fee of one rupee ”, the words, brackets and letters “ the fee specified in clause (aa) ” shall be substituted ;

(b) after clause (a) the following clause shall be inserted, namely :—

“(aa) The fee for obtaining or renewing a licence to act as an insurance agent shall be one rupee if the licence is issued for a period beginning with a date earlier than the 1st October 1941 or one and a half rupees in any other case ; Provided that an additional fee of one rupee shall be paid if the application for renewal of the licence reaches the issuing authority on or after the date on which the licence ceases to be in force ”.

2. In rule 24—

(a) in sub-rule (1) —

(i) for the words “ one hundred rupees ” the words “ five hundred rupees ” shall be substituted ;

(ii) for the words “ accident and miscellaneous insurance, including workmen's compensation and motor car insurance ”, the words “ miscellaneous insurance ” shall be substituted ;

(iii) in the proviso for the words “ fifty rupees ” in both places where they occur the words “ two hundred and fifty rupees ” shall be substituted.

(b) sub-rule (2) shall be renumbered as sub-rule (6), and sub-rule (3) shall be omitted.

(3) before sub-rule (6) as so renumbered, the following sub-rules shall be inserted, namely :—

“(2) The fee for renewal of registration under section 3A of the Act for each class of insurance business for which the insurer is registered shall be,

(i) where the total annual gross premium income including annuity considerations, if any, as shown in the revenue account for that class of insurance business prepared under the Act for the calendar year preceding the one in which the application for renewal of registration is required to be made does not exceed one lakh of rupees, fifty rupees ;

(ii) where such premium income exceeds one lakh of rupees but does not exceed two lakhs of rupees, one hundred rupees ;

(iii) where such premium income exceeds two lakhs of rupees but does not exceed four lakhs of rupees, one hundred and fifty rupees ;

(iv) where such premium income exceeds four lakhs of rupees but does not exceed six lakhs of rupees, two hundred and fifty rupees ;

(v) where such premium income exceeds six lakhs of rupees but does not exceed ten lakhs of rupees, three hundred and seventy-five rupees ;

(vi) where such premium income exceeds ten lakhs of rupees, five hundred rupees ;

Provided that the fees for renewal of registration payable in any one year by an insurer in respect of his insurance business other than life insurance business shall not exceed one thousand and five hundred rupees.

- (3) The fee for registration under section 70 of the Act shall be two hundred rupees.
- (4) The fee for renewal of registration under section 70A of the Act shall be fifty rupees where the total gross premium income including annuity considerations, admission fees and other fees, if any, as shown in the revenue account last furnished under the Act was less than fifty thousand rupees per annum or one hundred rupees in all other cases.
- (5) The fee payable for obtaining copies under section 119 of the Act shall be two rupees for each foolscap page of the copy, the copy being prepared with reasonable margin and spacing”.

(d) in sub-rule (6) as so renumbered, for the words “The fee for registration”, the words, brackets and figures “Any fee specified in this rule or payable under sub-section (1) of section 20 of the Act” shall be substituted and for the words “the application for registration”, the words “the relevant application” shall be substituted.

N. R. PILLAI,

Additional Secretary to the Government of India.

THE HONOURABLE MR. G. S. BOZMAN (Secretary, Indians Overseas Department): Sir, I lay on the table a copy of the notification of the Government of India in the Department of Education, Health and Lands, No. F. 144-1/38-O.S.(C.), dated the 21st July, 1941, prohibiting the emigration of unskilled labourers from British India to Burma.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

NOTIFICATION.

OVERSEAS.

Simla, the 21st July, 1941.

No. F. 144-1/38-O. S. (C).—Whereas for the purpose of implementing an agreement made between the Governor General of India in Council and the Governor of Burma it is necessary to issue this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) 30A of the Indian Emigration Act, 1922 (VII of 1922), the Central Government is pleased to prohibit with effect from the 21st July, 1941, all persons from departing by sea out of British India to Burma for the purpose of unskilled work unless exempted by special order of the Central Government from the provisions of this notification.

G. S. BOZMAN,

Joint Secretary to the Government of India.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON
THE TABLE.

THE HONOURABLE MR. C. E. JONES (Finance Secretary): Sir, I lay on the table the information promised in reply to parts (a) and (b) of question No. 59 asked by the Honourable Mr. N. K. Das on the 5th March, 1941.

MAXIMUM AMOUNT OF PENALTY IMPOSED FOR CONCEALMENT OF INCOME IN BIHAR AND
ORISSA.

(a) Rs. 36,655, Rs. 73,056 and Rs. 96,497 for the assessment years 1938-39, 1939-40 and 1940-41, respectively.

(b) Maximum penalty was imposed in 1,37 and 55 cases, respectively. Penalty over Rs. 10,000 was imposed in one case in respect of each of the assessment years 1938-39 and 1939-40 and in two cases in respect of the assessment year 1940-41.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Sir, I lay on the table the information promised in reply to supplementary question No. 78, asked by the Honourable Mr. Hossain Imam on the 6th March, 1941.

INDIAN AIR FORCE.

Numbers of candidates discharged after selection by the Ginwala Committee up to the 31st January, 1941, was nine.

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE MR. S. N. ROY (Communications Secretary): Sir, I lay on the table copies of—

- | | |
|--|---|
| (1) Notification No. F. 12(3)/41-General,
dated the 22nd April, 1941, | } amending the Delhi Motor
Vehicles Rules, 1940. |
| (2) Notification No. F. 12(3)-II/41-
General, dated the 14th June, 1941. | |
| (3) Notification No. 1179/35-40/M. V., dated the 7th June, 1941, amend-
ing the British Baluchistan Motor Vehicles Rules, 1940; | |
| (4) Notification No. 245-C/W. F. 111/40-(2), dated the 26th July, 1941,
amending the Ajmer-Merwara Motor Vehicles Rules, 1940. | |

OFFICE OF THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 22nd April, 1941.

No. F. 12 (3)/41-General.—In exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India in the Department of Communications, No. R.-60, dated the 28th June 1939, the Chief Commissioner is pleased to make the following amendment in the Delhi Motor Vehicles Rules, 1940, the same having been previously published with his notification No. F. 12 (3)/41-General, dated the 23rd January 1941 :—

Amendment.

I. The existing rule 4.1 shall be re-numbered as sub-rule (1) of rule 4.1.

II. After sub-rule (1) of rule 4.1 the following sub-rule shall be inserted, namely,—

“(2) A non-official member of the Provincial Transport Authority shall be entitled to receive a fee of eight rupees for every day on which he attends a meeting of the Authority, and any such member performing any journey under the orders of the Chairman in connection with the business of the Authority, other than a journey to attend a meeting of the Authority, shall be entitled to receive travelling and halting allowances at the scale and on the conditions admissible to a Central Government servant of the First Grade, the halting allowance for this purpose being taken as eight rupees a day.”

A. V. ASKWITH,
Chief Commissioner, Delhi.

THE CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 14th June, 1941.

No. F. 12 (3)-II/41-General.—In exercise of the powers conferred by sections 21 and 41 of the Motor Vehicles Act, 1939, read with the notification of the Government of India in the Department of Communications, No. R.-60, dated the 28th June 1939, the Chief Commissioner is pleased to make the following rules, the same having been previously published with his notification No. F. 12 (3)-II/41-General, dated the 23rd April 1941 :—

Rules.

1. Notwithstanding anything contained in the Delhi Motor Vehicles Rules, 1940, no fee shall be charged for the issue or alteration of certificates of registration relating to motor vehicles which are the property of personnel of the Nepalese Contingent in India or for the examination or inspection of such motor vehicles.

2. If any member of the Nepalese Contingent in India shall have paid or shall hereafter pay a fee for the issue or renewal of a license to drive a motor vehicle or for undergoing a test of competency to drive the fee shall on his application be refunded to him.

A. V. ASKWITH,

Chief Commissioner, Delhi.

THE CHIEF COMMISSIONER OF BRITISH BALUCHISTAN.

NOTIFICATION.

Quetta, the 7th June, 1941.

No. 1179/35-40/M.V.—In exercise of the powers conferred by section 21 of the Motor Vehicles Act, 1939 (VI of 1939), the Chief Commissioner of British Baluchistan is pleased to direct that the following amendments shall be made to the British Baluchistan Motor Vehicles Rules, 1940, published in the Notification No. 347/M. V., dated the 1st April 1940 printed at pages 841 to 982 of the *Gazette of India*, Part II-A, dated the 27th April 1940 :—

In the First Schedule of the said Rules substitute the following :—

- (a) for the heading " Hill Roads " the heading " Roads in British Baluchistan ".
- (b) after the said heading as so substituted and the entries thereunder the following heading and entries be inserted :—

" Roads in the Tribal Areas of Baluchistan "—

1. Saidak to Kachaw.
2. Smallan to Dalkuna.
3. Kachaw to Robot.
4. Smallan to Aiaratsari.
5. Murgha Kibzai to Musakhel.
6. Mekhtar to Kingri.
7. Hosri to Barkhan.
8. Kapip to Dhanasar.
9. Fort Sandeman to Shengar.
10. Fort Sandeman to Mughalkot.
11. Mani Kawa to Ahmedi Darge.
12. Nisai to Murgha Faqirzai.

13. Fort Sandeman to Gul Kachh.
 14. Gawal Haiderzai to Marakalai.
 15. Fort Sandeman to Babar.
 16. Lakaband to Gurlana.
 17. Fort Sandeman to Shaighalu.
- “ Roads in the Leased Areas of Ba'uchistan ”—
1. Quetta to mile 25, 1·7 furlong on Quetta-Ziarat Road.
 2. Kolepur to Rindli.
 3. Zawarkar to Main Quetta-Ziarat Road near Sarantangi.

By order,

R. A. C. HILL,

Secretary to the Agent to the Governor General and Chief Commissioner in Baluchistan in the Police Department.

THE CHIEF COMMISSIONER, AJMER-MERWARA

NOTIFICATION.

Camp Ajmer, the 26th July, 1941.

No. 245-C/W. F. 111/40-(2).—The Chief Commissioner is pleased to make the following amendment in the Ajmer-Merwara Motor Vehicles Rules, 1940, published with his Notification No. 1141/34-W/38-III, dated the 12th June 1940, the amendment having been previously published in this Administration's notification No. 137-C/111-W/40, dated the 7th February 1941 :—

In rule 6·1 (a) of Chapter VI-Control of Traffic—for the words “ eight tons ” in line 4 substitute the words “ five tons ” and for the words “ five tons ” in lines 5 and 6 substitute the words “ three tons ”.

By order,

T. B. CREAGH COEN,

Secretary to the Chief Commissioner, Ajmer-Merwara.

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE MR. S. N. ROY (Communications Secretary) : Sir, I lay on the table the information promised in reply to—

- (1) Question No. 45, asked on the 5th March, 1941,
- (2) Question No. 115, asked on the 24th March, 1941,
- (3) Part (c) of question No. 133, parts (a), (b) and (c) of question No. 134 and parts (a) and (c) of question No. 135, asked on the 27th March, 1941,
- (4) Question No. 136, asked on the 27th March, 1941,
- (5) Questions Nos. 149 and 150, asked on the 29th March, 1941,
- (6) Questions Nos. 159 and 160, asked on the 2nd April, 1941,

- (7) Questions Nos. 165 and 166, asked on the 2nd April, 1941,
- (8) Question No. 172, asked on the 2nd April, 1941,
- (9) Parts (a) and (b) of question No. 178, asked on the 2nd April, 1941,
and
- (10) Question No. 179, asked on the 2nd April, 1941.

Information promised in reply to question No. 45, asked by the Honourable Pandit Hirday Nath Kunzru on the 5th March, 1941.

EAST INDIAN RAILWAY RENT RULES.

(a) and (b). No.

(c) The position of mistries is between inspectors and labourers and they are liable for day or night duty. As they do not belong to a category to which the privilege of rent free quarters was formerly admissible, they are required to pay rent under the rules. They are not the only labour staff employed under permanent way inspectors who are required to pay rent. Government do not propose to take any action.

(d) Some men were not charged rent for more than twelve months and it appears that recovery was effected from them for the entire period. As the general policy is to effect such recoveries with back effect only for one year, the General Manager, E. I. R., is making enquiries with a view to rectifying the position.

Information promised in reply to question No. 115, asked by the Honourable Mr. P. N. Sapru, on the 24th March, 1941.

TERMINATION OF CONTRACT OF CERTAIN VENDORS ON THE RAILWAY STATION, ALLAHABAD.

(a) The parties referred to were vendors at Allahabad station for a period of years.

(b), (c) and (d). Yes.

(e) The contracts were terminated on or about 24th November, 1939 on account of unsatisfactory service.

(f) The contracts were then given to Messrs. Ballabhdas Eshwardas, as the Administration considered that this firm would give efficient service to the travelling public.

Information promised in reply to (i) part (c) of question No. 133, (ii) parts (a), (b) and (e) of question No. 134, and (iii) parts (a) and (c) of question No. 135, asked by the Honourable Mr. Hossain Imam, on the 27th March, 1941.

APPOINTMENTS MADE TO THE SUPERIOR RAILWAY SERVICES.

Question No. 133.

(e) The requisition sent to the Federal Public Services Commission for the recruitment of Muslims to the Superior Services for each of the five years ending 31st March, 1940 was 4, 5, 3, 1 and 3, respectively.

In addition there are requisitions for special class apprentices numbering 3, 3, 2, 2 and 2, respectively.

Question No. 134.

GAZETTED OFFICERS IN THE MEDICAL DEPARTMENT OF STATE-MANAGED RAILWAYS.

(a), (b) and (e). The attached statements give the required information.

(1) Statement showing the number of Assistant and Sub-Assistant Surgeons employed on the State-managed Railways.

Category.	Total.	Hin-dus.	Muslims.	Europeans & Anglo-Indians.	Indian Christians.	Others.	Remarks.
<i>Eastern Bengal Railway.</i>							
Assistant Surgeons	19	10	5	*3			*3 recalled to military.
Sub-Assistant Surgeons	54	29	23				
<i>East Indian Railway.</i>							
Assistant Surgeons	17	15	1	1			
Sub-Assistant Surgeons	86	74	12	..			
<i>Great Indian Peninsula Railway.</i>							
Assistant Surgeons	19	6	2	2	4	5	
Sub-Assistant Surgeons	40	31	4	..	4	1	
<i>North Western Railway.</i>							
Assistant Surgeons	22	3	13		4	1	1 post vacant.
Sub-Assistant Surgeons	100	57	28	..		15	

(2) Statement showing the number of vacancies occurring during the last five years in each branch and the number of Muslims appointed on State-managed Railways.

Designation	No. of vacancies which occurred during the last 5 years.	No. of vacancies filled by Muslims.
<i>Eastern Bengal Railway.</i>		
District Medical Officer	Nil	Nil
Assistant Medical Officer	Nil	Nil
Assistant Surgeon	8	6
	(3 permanent and 5 temporary).	(3 permanent and 3 temporary).
Sub-Assistant Surgeons	24	10
	(10 permanent and 14 temporary).	(3 permanent and 7 temporary).
<i>East Indian Railway.</i>		
District Medical Officer	Nil	Nil
Assistant Medical Officer	3	Nil
Assistant Surgeon	6	Nil
Sub-Assistant Surgeon	16	4
<i>Great Indian Peninsula Railway</i>		
District Medical Officer	Nil	Nil
Assistant Medical Officer	Nil	Nil
Assistant Surgeon	5	2
	(temporary)	
Sub-Assistant Surgeon	9	2
	(3 permanent and 6 temporary).	(temporary).
<i>North Western Railway.</i>		
District Medical Officer	1	Nil
	(temporary).	
Assistant Medical Officer	8	Nil
	(temporary).	
Assistant Surgeon	15	11
Sub-Assistant Surgeon	34	21

Question No. 135.

NAME OF MUSLIM NEWSPAPERS IN WHICH APPOINTMENTS FOR STATE-MANAGED RAILWAY ARE ADVERTISED.

(a) and (c). The attached statement gives the required information.

Statement showing the names of Muslim and non-Muslim papers in which posts are advertised by the State-managed Railways.

E. B. R.

E. I. R.

G. I. P. R.

N. W. R.

Names of papers.		Names of papers.		Names of papers.	
Muslim.	Non-Muslim.	Muslim.	Non-Muslim.	Muslim.	Non-Muslim.
Star of India.	Statesman.	Khilafat.	Times of India.	Daily Inqilab.	Statesman.
Assam Herald.	Amrita Bazar	A z i z-i-	Jam-e-Jamshed.	Daily Zamindar.	Civil & Military.
Asad.	Patrika.	Hind.	Kesari.	Daily Ehsan.	Daily Herald.
	Ananda Bazar		Hindustan Times.	Al-Aman.	Daily Gazette.
	Patrika.		Statesman.	Khyber Mail.	Sind Observer.
	Times of Assam.			Eastern Times.	Daily Hindu.
	Assam Govern-			Al-Fazel.	Daily Partap.
	ment Gazette.			Daily Shahbaz.	Daily Milap.
	Bihar Governmen			Daily Hayat.	Daily Vir Bharat.
	Gazette.			Daily Anjam.	Daily Tej, Delhi.
				Daily Wondat.	Swarajya.
				Star of India.	Tribune.
					Karachi Daily.
					National Call.
					Daily Watan.
					Amrita Bazar
					Patrika.
					Hindu.
					Madras Mail.
					Times of India.
					Leader.
					Pioneer.

Information promised in reply to question No. 136, asked by the Honourable Mr. Hossain Imam, on the 27th March, 1941.

CONTRACTS FOR THE SUPPLY OF COAL TO STATE-MANAGED RAILWAYS.

The answer to the first part of the question is in the affirmative. As regards the second part, a statement is laid on the table showing the names and rates of coal raising contractors and the dates when the contracts terminate.

Information promised in reply to questions Nos. 149 and 150, asked by the Honourable Rai Bahadur Lala Ram Saran Das, on the 29th March, 1941.

ALLOWANCE PAID TO RAILWAY SERVANTS BY THE POSTS AND TELEGRAPHS DEPARTMENT FOR LOCAL AND TRUNK CALLS.

It has been decided to adopt a uniform procedure on all Railways and to allow the allowance in question to be paid to the staff.

Information promised in reply to questions Nos. 159 and 160, asked by the Honourable Pandit Hriday Nath Kunzru, on the 2nd April, 1941.

Question No. 159.

SUPPLY OF DRINKING WATER TO WORKMEN OF THE CARRIAGE AND WAGON SHOPS, LILLOAH, E. I. R.

- (a) There are no watermen.
- (b) Drinking water tanks are provided at convenient places and lagged to keep the water as cool as possible.
- (c) The reply to the first part is in the affirmative ; as regards the second part, though no regular watermen are provided, the Foremen detail men to supply drinking water when required by workmen. As regards the last part, the method of supplying water to workmen at the two shops is clearly different, but I will convey the Honourable Member's suggestion to the General Manager, E. I. R., for his consideration.

Question No. 160.

SUPPLY OF WATERPROOF COVERINGS TO WORKMEN OF THE CARRIAGE AND WAGON SHOPS, LILLOAH, E. I. R.

- (a) As regards the first and second parts a certain number of workmen in the repair shops have to work in the open yard at all times of the year, and some of them are entitled to waterproof clothing ; with regard to the last part, Government have no action in contemplation.
- (b) No specific arrangements exist in Lilloah and other shops for the purpose referred to. An Employment Officer is provided at every workshop whose assistance may be sought by illiterate staff in the matter.

Information promised in reply to question No. 165, asked by the Honourable Pandit Hriday Nath Kunzru, on the 2nd April, 1941.

SPECIAL GRADE APPRENTICES IN THE JAMALPUR WORKSHOPS.

(a) 20 Indian graduates were recruited prior to 1923 as special grade apprentices at Jamalpur for three years' training. They were not recruited with a view to appointment to the Superior Revenue Establishment. Of these 12 were appointed as Chargemen in Jamalpur Workshop and in the Laboratory. None of them has been appointed to superior posts as they were not recruited for this purpose.

(b) Yes.

(c) The qualifications of special class apprentices (not special grade apprentices) now recruited through the Federal Public Service Commission are given in the Railway Board's Notification No. E 41R R7, dated 31st May, 1941, a copy of which is in the Library of the House.

Information promised in reply to question No. 166, asked by the Honourable Pandit Hirday Nath Kunzru, on the 2nd April, 1941.

SPECIAL GRADE APPRENTICES IN THE JAMALPUR WORKSHOPS.

- (a) The reply is in the affirmative.
 (b) As already stated in reply to part (a) of the preceding question these men were not recruited for appointment to superior posts.

Information promised in reply to question No. 172, asked by the Honourable Pandit Hirday Nath Kunzru, on the 2nd April, 1941.

INFERIOR STAFF ON THE E. I. R.

- (a) The general practice was as stated by the Honourable Member.
 (b) I understand that there are such staff on the E. I. R. but have not particulars of their numbers.

Information promised in reply to parts (a) and (b) of question No. 178, asked by the Honourable Pandit Hirday Nath Kunzru, on the 2nd April, 1941.

RULES FOR DETERMINING SENIORITY OF SUBORDINATE STAFF OF WORKSHOPS OF THE E. I. R.

- (a) The reply to both the parts is in the affirmative.
 (b) Yes, but several Indians who were transferred from one group to another have also become senior to Anglo-Indian staff in the latter groups.

Information promised in reply to question No. 179, asked by the Honourable Pandit Hirday Nath Kunzru, on the 2nd April, 1941.

- (a) Yes, eleven posts of Chargemen in the scale of pay Rs. 350—25—400 were created in the more important shops which had no Assistant Foremen.
 (b) All these posts were filled by Europeans or Anglo-Indians who happened to be the seniormost and eligible for promotion.

THE RIGHT HONOURABLE SIR AKBAR HYDARI (Member for Information and Broadcasting): Sir, I beg to lay on the table the information promised in reply to question No. 66, asked by the Honourable Mr. Hossain Imam, on the 5th March, 1941.

BROADCASTING CAPITAL FUND.

Statement showing details of expenditure incurred during the financial year ending 31st March, 1941 against the amount of Rs. 4,83,000 sanctioned for expenditure under Demand No. 49—Capital Outlay on Broadcasting.

Delhi—	Expenditure incurred during 1940-41.	
	Rs.	Rs.
1. Research Equipment	20,568	
2. Receiving Centre, Todapur	11,405	
3. Delhi Shortwave Stations II, III and IV	11,194	
4. Spares	32,243	
Total of Delhi	75,410	75,410

Expenditure incurred during
1940-41.

	Rs.	Rs.
<i>Madras—</i>		
5. Madras Medium and Shortwave Station	3,328	
6. Receiving Centre, Madras	1,425	
7. Air Conditioning of Studios	2,287	
Total of Madras	7,040	7,040
<i>Trichinopoly—</i>		
8. Trichinopoly Medium Wave Station	26,367	
9. Receiving Centre	6,473	
Total of Trichinopoly	32,840	32,840
<i>Bombay—</i>		
10. Bombay Shortwave Station	2,008	
11. Bombay Studio	1,631	
12. Site for Bombay Transmitter	510	
Total for Bombay	4,149	4,149
<i>Calcutta—</i>		
13. Calcutta Shortwave Station	6,619	
14. Receiving Centre, Calcutta	4,673	
15. Calcutta Studios	23,645	
16. Air Conditioning of Studios	5,043	
Total for Calcutta	39,980	39,980
<i>Dacca—</i>		
17. Dacca Medium Wave Station	30,357	
18. Receiving Centre, Dacca	12,814	
Total for Dacca	43,171	43,171
<i>Lucknow—</i>		
19. Medium Wave Station	2,924	
20. Receiving Centre	13,735	
Total for Lucknow	16,659	16,659
<i>Lahore—</i>		
21. Medium Wave Station	3,338	
22. Receiving Centre	6,521	
Total for Lahore	9,859	9,859
<i>Peshawar—</i>		
23. Medium Wave Station	
24. Receiving Centre	4,641	
Total for Peshawar	4,641	4,641
<i>Patna—</i>		
25. Medium Wave Station	7,004	
26. Receiving Centre	10,138	
Total for Patna	17,142	17,142
27. Installation Department, Delhi	61,804	61,804
GRAND TOTAL		3,12,695

STATEMENTS, ETC., LAID ON THE TABLE.

THE HONOURABLE MR. G. S. BOZMAN (Secretary, Indians Overseas Department) : Sir, I lay on the table a copy each of—

- (i) the Indo-Burma Immigration Agreement ; and
- (ii) the Joint Report by the Delegations from India and Ceylon on their recent discussions in Colombo.

JOINT STATEMENT BY THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF BURMA.

In two Reports issued at the end of 1938 and early in 1939, the Riot Inquiry Committee, under the Chairmanship of the Hon'ble Mr. Justice Braund, drew particular attention to the existence of a serious apprehension in the minds of many Burmans that Indian immigration was largely responsible for unemployment or under-employment among the indigenous population of Burma. The Committee recommended that, in the interests of both countries, some public examination of the grounds for the existing apprehension in Burman minds should be undertaken urgently.

2. Accordingly the Government of Burma in a Resolution, dated the 15th July 1939, after consultation with the Government of India, appointed the Hon'ble Mr. James Baxter to examine the question of Indian immigration into Burma, with the assistance of two Assessors, U Tin Tut, I.C.S., and Mr. Ratilal Desai, M.A. Mr. Baxter presented his Report to the Government of Burma in October 1940. His recommendations were carefully examined by both Governments and it was agreed without commitment on either side that these recommendations formed a suitable basis for negotiation. The Government of Burma, therefore, invited the Government of India to send a delegation to Burma and the invitation was gladly accepted.

3. As a result of the conversations the two Governments have agreed upon certain measures which in their view are calculated both to remove from Burman minds any reasonable apprehension that Burma may be subjected to undue economic competition by reason of Indian immigration and at the same time to secure for the Indian community settled and resident in Burma recognition of their legitimate rights.

4. The text of the agreement is attached to this statement. The agreement is based upon two main principles, firstly, that Burma has, subject to the provisions of the Government of Burma Act, 1935, the right to determine the composition of her own population, and secondly, that Indians who have wholly identified themselves with the interests of Burma should enjoy the same rights as members of the permanent population.

5. It is obvious that in the peculiar circumstances of the two countries, their geographical proximity, their cultural and economic ties and their long political association, the problems arising from regulation of immigration are of special complexity and delicacy. Both Governments have approached these problems in a spirit of cordiality and mutual understanding and are agreed that in giving administrative effect to the measures now proposed the closest co-operation will be required in the same spirit of mutual adjustment and identity of purpose which characterised the negotiations. It is their earnest desire that the agreement now achieved will serve to remove any causes for misapprehension which may have arisen either between the two countries or between the two communities in Burma and may furnish a lasting foundation for the development in the future of the firmest ties of friendship and goodwill.

AGREEMENT.

Definitions.

1. In this agreement, unless there is anything repugnant in the subject or context,—

- (a) " dependant " means a person who is wholly and directly dependant for maintenance and support on a person who holds or is about to be granted a permit under the provisions of this Agreement and is related to such person as being—

- (i) his wife, or

- (ii) his or his wife's parent, or
- (iii) his or his wife's daughter, or grand-daughter who is either unmarried or a widow or is divorced, or
- (iv) his or his wife's son or grandson who is under the age of 18 years or, being over that age, is permanently disabled and incapable of supporting himself;
- (b) " Indian " means a British subject domiciled in India or the subject of an Indian State;
- (c) " work ", " skilled work " and " unskilled work " have the meanings assigned to them in section 2 of the Indian Emigration Act, 1922.

Operation of Order in Council.

2. The Government of Burma agree that the notice given by them to terminate the operation of the Government of Burma (Immigration) Order, 1937, with effect from the 1st April, 1942, will be treated as withdrawn, and that notice to terminate the same will not be given before the 1st October, 1945.

Date of Operation of Measure of Control.

3. Indian immigration into Burma will, with effect from the 1st October 1941, be subject to regulations and restrictions, in the manner hereinafter explained.

Passports.

4. No Indian may enter Burma without a valid Indian passport containing his photograph and other particulars sufficient to establish his identity.

Passport Visas and Immigration Passports.

5. No Indian may enter Burma without a passport *visa* issued by or on behalf of the Government of Burma or an immigration permit issued by or under authority of the Government of Burma.

Passport Visas.

6. (1) The Government of India, or officers employed by them, may issue, on behalf of the Government of Burma and subject to terms and conditions imposed by the Government of Burma, *visas* on passports granted to Indians desiring to enter Burma as visitors or as students in educational institutions.

(2) A *visa* on an Indian visitor's passport will be valid for three months but this period may be extended by or under the authority of the Government of Burma up to a total stay in Burma of twelve months.

(3) A fee of Rs. 20 will be charged for visitors' *visas* but no fee will be charged for extensions.

(4) A student's *visa* will be valid for a stated period not exceeding five years.

(5) No fee will be charged for a student's *visa*.

Immigration Permits.

7. (1) Save as otherwise provided by the terms of this agreement, no Indian may enter Burma without one of the following classes of permits:—

(i) " A " permits, which will entitle the holder to remain in Burma for an indefinite period and to accept employment therein. No bar will be placed on the acquisition of a Burma domicile by holders of " A " permits:

(ii) " B " permits, which will entitle the holder to reside in Burma for a specified period and to accept employment therein. " B " permits being for limited periods, will not allow the holders to acquire a Burma domicile. They will be issued for a maximum period of three years and may be extended at the discretion of the Government of Burma for further periods which, with the original period, may not exceed a total of nine years. The holder of a " B " permit may apply for an " A " permit on the same terms as an original applicant for an " A " permit.

(2) The issue of immigration permits will be subject to the terms and conditions set out in this Agreement and also to such other terms and conditions as the Government of Burma may prescribe after consulting the Government of India; provided that any other terms and conditions so prescribed shall not be inconsistent with the objects of this agreement. The acceptance of these terms and conditions shall be a condition for the entry of the immigrants into Burma.

Restrictions on the numbers of permits and visas.

8. (1) The number of "A" permits to be issued will be at the discretion of the Government of Burma and they will be issued only to persons whom the Government of Burma consider to be of sufficient financial standing or possessed of an assured income in Burma of sufficient amount and to be persons who are likely to be suitable for permanent residence in Burma.

(2) "B" permits will be issued within such limits as may be prescribed in any year or other period by the Government of Burma after considering the advice of an Immigration Board.

(3) The Government of Burma reserve power to impose limits on the number of students and visitors' visas to be issued by the Government of India on their behalf.

Dependants of immigrants with "A" permits or "B" permits.

9. (1) Applicants for "A" or "B" permits will be required to declare particulars of dependants whom they intend to bring to Burma either with them or at some future date.

Declared dependants.

(2) Should the applicant receive his permit, dependants declared under sub-clause (1) will be granted on application by the former the same class of permit as the applicant.

Undeclared dependants.

(3) Other dependants of the applicant may also, on application by him and at the discretion of the Government of Burma, be granted the same class of permit.

Limit of validity of dependants' permits.

(4) The period of validity of a permit granted to a dependant will not extend beyond the period of validity of the permit held by the person on whom they are dependant.

Land Frontier Migration.

10. The two Governments will co-operate in devising and effecting measures to deal with and to control immigration across the land frontier between the two countries. It is understood that this will require consultation by the Government of India with the Provincial Governments concerned.

Immigration Board.

11. The Government of Burma will institute at an early date an Immigration Board to examine the relevant data and to tender advice to the Government of Burma generally on matters of policy relating to Indian immigration into Burma and in particular on the fixing of quotas for the grant of permits. The Board will be of mixed racial composition and Burmans, Indians and Europeans will be represented on it.

Penalties for unlawful entry or unlawful residence in Burma.

12. The penalties imposable under Burma legislation shall not exceed imprisonment for six months or a fine of Rs. 1,000, or both on persons convicted before a Magistrate of an infringement of the immigration rules or of a breach of the conditions of a permit, or of making a false statement in order to obtain a permit or other privilege relating to entry to or residence in Burma or to secure registration as a privileged immigrant.

Literacy Test.

13. The Government of Burma may impose a literacy test on applicants for "A" permits:

Provided that such a test shall not be made in Burmese or in any other language indigenous to Burma.

Marriages or cohabitation between Indian male immigrants and women belonging to the indigenous races of Burma.

14. Marriage or cohabitation with a woman belonging to the indigenous races of Burma established to the satisfaction of the Government of Burma may be made a condition for the cancellation of a permit or visa granted to a male Indian immigrant:

Provided that exceptions will be made of marriages entered into with the sanction of the Government of Burma and that such sanction will be given if the immigrant makes, before the proposed marriage, provision which is sufficient in the opinion of the Government of Burma for the permanent maintenance of the woman he desires to marry.

Fees for permits.

15. The following scale of fees will be charged for immigration permits :—

“ A ” permits.—Rs. 500.

“ B ” permits.—For unskilled labourers, an entrance fee or a visa fee of Rs. 12 plus a residential fee of Rs. 5 for every year or part of a year for which the permit will be valid. For other “ B ” permits, an entrance fee or a visa fee of Rs. 30 and a residential fee of Rs. 20 for every year or part of a year for which the permit is valid. Arrangements will be made to enable immigrants to pay the residential fee in yearly instalments if they so desire.

Dependants.—Half the rate per dependant of the fees payable by the immigrant himself.

Collection from Employers of visa or entrance fees for “ B ” permits.

16. The Government of Burma accept the principle that the incidence of entrance or visa fees and of the stamp duty charged in respect of “ B ” permit holders should fall on the employer and undertake to collect such fees from the employer or prospective employer in cases where a permit is issued at his instance.

Deposits.

17. Before entry into Burma a deposit of Rs. 20 will be made to the Government of Burma by persons who are granted “ B ” permits and by their dependants to cover the cost of repatriating them. Repatriation will be, at the choice of the repatriated Indian, to the ports of (a) Calcutta, (b) Chittagong, (c) Madras, (d) Vizagapatam, and (e) Gopalpur. The deposit will be refunded if the person concerned leave Burma of his own accord or obtains an “ A ” permit.

Stamp Duty.

18. Applications for all classes of permits under the immigration control arrangements shall be subject to stamp duty under the ordinary law of Burma.

PROVISION RELATING TO INDIANS ALREADY IN BURMA.

Indians who are born and bred in Burma and who have made Burma their permanent home.

19. The Government of Burma recognise that Indians who are born and bred in Burma, have made Burma their permanent home and regard their future and the future of their families as bound up with its interests are entitled to be regarded as having established a claim if they wish to make it, to a Burma domicile and therefore to the benefit of Section 144 of the Government of Burma Act, 1935.

Acquisition of Burma domicile by Indians in Burma.

20. No restriction will be placed on the acquisition of a Burma domicile under due process of law by Indians lawfully residing in Burma excepting those who by the terms and conditions of a permit which entitles them to reside in Burma are not given the right of residence beyond a specified period.

Privileged Immigrants.

21. Indians who prove a total residence in Burma of seven calendar years between the 15th July 1932 and the 15th July 1941 will be termed “ privileged immigrants ”.

Such privileged immigrants shall have the right to further residence and to the acceptance of further employment in Burma without limit of time but they will lose their status as privileged immigrants should they be absent from Burma for a continuous period exceeding one year after the 15th July, 1941.

A privileged immigrant, so long as he retains his status, will be given the right of free-entry into Burma on his return after an absence of less than twelve months.

Dependants of Privileged Immigrants.

22. The following classes of dependants of a privileged immigrant will be given “ A ” permits free of charge for entry into Burma :—

- (i) One wife if there is no other wife residing in Burma.
- (ii) His sons below the age of 18 by the wife who is granted an “ A ” permit under this clause or by a wife residing with him in Burma.
- (iii) His unmarried daughters by the wife who is granted an “ A ” permit under this clause or by a wife residing with him in Burma.

Indians who are already in Burma but have not qualified as privileged immigrants.

23. Other Indians who are in Burma on the 15th July 1941 will be entitled to remain in Burma indefinitely and to accept work for an indefinite period and will retain their privileges under section 44 of the Government of Burma Act, 1935.

Should an Indian of this class leave Burma for any period, his claim to re-entry will be dealt with in the same manner as an application for entry by a new Indian immigrant and if re-admitted into Burma, such person will be treated as new Indian immigrant with the exception that he will have a preferential claim to a " B " permit over new Indian immigrants.

Transitory Provisions.

24. During the transition period pending the constitution of an Immigration Board and the consideration by the Government of Burma of proposals to be made by the Board for the quotas for permits to be issued to Indian immigrants, the Government of India will prohibit the emigration to Burma of Indians for the purpose of unskilled work from the 21st July 1941 with the exception of seasonal labourers who may, at the instance of the Government of Burma, be granted passports up to numbers agreed upon between the two Governments.

Registration of Indians in Burma.

25. The Government of Burma will institute at an early date a system of registering Indians in Burma.

GENERAL.

Power of Exemption.

26. The Government of Burma may exempt any person from any or all the conditions and restrictions that may be imposed under this Agreement.

Co-operation between the two Governments.

27. The two Governments will act in close co-operation to achieve the objects of the Agreement and will freely consult each other on points of difficulty that may arise.

In particular the Government of Burma will grant the Government of India an opportunity of commenting on proposals to fix quotas and on the recommendations of the Immigration Board on which such proposals are based.

JOINT REPORT BY THE DELEGATIONS FROM INDIA AND CEYLON.

The discussions between Delegations from the Government of India and the Government of Ceylon, which terminated unsuccessfully in Delhi in November 1940, were renewed at the invitation of the Government of Ceylon at Colombo in September 1941. The resumed conversations were directed towards particular subjects upon which disagreement had arisen between the two countries. It was clearly understood that concurrence of views expressed during the conversations upon individual points should not be construed as effective agreement unless agreement were reached over the whole field of discussion. Exhaustive consideration of the following subjects :—

- I. Immigration and re-entry,
- II. Quotas,
- III. Franchise,
- IV. Registration,
- V. Status, and
- VI. General provisions

resulted in the agreement set out below.

PART I.—IMMIGRATION AND RE-ENTRY.

SECTION A.—*New entrants, i.e., persons entering Ceylon from India for the first time after the date when the Immigration Ordinance comes into force.*

The discussion proceeded mainly on the basis of the draft Immigration Ordinance published in Ceylon on February 26, 1941. The Indian Delegation put forward the following proposals :—

- (1) That permits should take the form of an endorsement on a passport ;
- (2) That the Minister should be advised by an Immigration Board, in which Indians should be represented ;

- (3) Any proposals for the imposition of quotas (whether in the form of labour schedules or internal quotas) together with the advice of the Immigration Board, should be referred to the Government of India for comment ;
- (4) That there should be no discretion regarding the entry of wives and minor children of persons to whom entry may in future be permitted ;
- (5) That discretion to refuse entry should be limited in the case of persons to be employed in positions of confidence or for specialised work ;
- (6) That fees chargeable for endorsements should be as low as possible, regard being had to the cost of administration.

Subject to the drafting of a suitable formula for persons covered by (5) above, the Ceylon Delegation felt there should be no difficulty in meeting the Indian Delegation's wishes on the points raised.

SECTION B.—*Re-entry of Indians who are not new entrants.*

- (1) Undesirables, destitutes and persons prohibited by existing law from entering Ceylon or liable to deportation thereunder to have no right of re-entry ;
- (2) Persons repatriated to India in accordance with existing law or existing administrative arrangements to be subject to the provisions of the Immigration Ordinance ;
- (3) In the event of the Ceylon Government undertaking to provide at their own expense facilities for repatriation to India, persons so repatriated to have no right to re-enter Ceylon save in accordance with the provisions of the Immigration Ordinance, provided that repatriation (a) is voluntary, (b) involves monetary compensation in excess of a passage to India, (c) is accepted by the repatriate on the explicit understanding that he will be subject to the provisions of the Immigration Ordinance ;
- (4) Persons possessing a domicile of origin or a domicile of choice or a certificate of permanent settlement shall have the right to re-enter Ceylon, provided however that the holder of a certificate of permanent settlement shall not be granted a return endorsement valid for a period exceeding twelve months ;
- (5) Assisted unskilled labourers with less than five years residence in Ceylon on the date of the agreement to be subject to the provisions of the Immigration Ordinance ;
- (6) Unassisted unskilled labourers with less than five years residence in Ceylon on the date of agreement to have the right to re-enter Ceylon only if returning to employment under the same employer or to guaranteed employment of the same class ;
- (7) Persons not included in (4), (5) or (6) above with three years residence or more in Ceylon on the date of the agreement shall have the right to re-enter Ceylon and to seek employment ;
- (8) Persons not included in (5) or (6) above with less than three years residence in Ceylon on the date of the agreement shall have the right to re-enter Ceylon only if returning to the same means of livelihood or, if employed, to any employment under the same employer ;
- (9) Wives and minor children may not be refused permission to enter or re-enter Ceylon for the purpose of joining the husband or father as the case may be ;
- (10) Persons seeking to re-enter Ceylon other than in virtue of the preceding paragraphs to be subject to the provisions of the Immigration Ordinance ;
- (11) A right of re-entry in virtue of any of the preceding paragraphs, except in respect of persons possessing a domicile of origin or a domicile of choice, will be lost after a continuous absence, from Ceylon of more than twelve months.

PART II.—QUOTAS.

- (1) Indians possessing a domicile of origin or a domicile of choice or a certificate of permanent settlement or having been resident in Ceylon for seven years or more on the date of agreement to be exempt from the operation of any quota legislation ;
- (2) Any Indian resident in Ceylon for three years or more but less than seven years on the date of the agreement to be exempt from the operation of so much of any quota legislation as applies to the same class of employment as that in which he is employed at the time the legislation comes into force. If such person completes seven years residence in Ceylon, he shall thereafter be exempt from the operation of any quota legislation.
- (3) Any Indian resident in Ceylon on the date of the agreement to be exempt from the operation of so much of any quota legislation as applies to any employment in the service of the person who is his employer when the legislation comes into force ;

(4) Indians resident in Ceylon for less than three years on the date of the agreement shall qualify only for the exemption conferred in paragraph (3), provided that any such Indian who may, consistently with the terms of this agreement, subsequently qualify under paragraph (1), shall be entitled to the exemption conferred by that paragraph.

PART III.—FRANCHISE.

The State Council (Elections) Order in Council to be amended so as to provide as follows :—

SECTION A.—*Indians entering Ceylon for the first time after the date when the Immigration Ordinance comes into force.*

(1) A class entrants to be entitled to be registered on satisfying the literacy and property qualification and, after five years' residence, on establishing a domicile of choice to the satisfaction of a Court ;

(2) B class entrants to be entitled to be registered only on satisfying the literacy and property qualification.

SECTION B.—*Indians resident in Ceylon prior to the date when the Immigration Ordinance comes into force.*

(1) Birth in Ceylon of parents either or both of whom were born in Ceylon to be sufficient proof for registration as possessing a domicile of origin, birth outside Ceylon during the temporary absence of the mother to be deemed birth in Ceylon ;

(2) Registration as possessing a domicile of choice to be made only on production to the Registering Officer of proof that the person to be registered has satisfied a Court that, after having had five years residence in Ceylon he has acquired a domicile of choice in Ceylon according to the rules of English Law regarding the acquisition of a domicile of choice. (Administrative arrangements to be made to facilitate the establishment of such domicile as cheaply and readily as possible) ;

(3) Qualifications to obtain a certificate of permanent settlement :—

(a) a declaration that the applicant has an intention to remain in Ceylon indefinitely ;

(b) proof of means of livelihood ;

(c) if married, proof that his wife and minor unmarried children, if any, ordinarily reside with him ; provided that no Indian who at the date of the agreement is registered as a voter, but whose wife by any personal law or custom is either precluded from joining or justified in refusing to join her husband in Ceylon, shall be treated as disqualified for the franchise by reason only of the fact that he is married and his wife does not ordinarily reside with him ;

(d) the prescribed period of residence prior to application to be seven years for persons who are married at the date of the application and ten years for other persons, provided that such period of residence shall have been completed within four years from the date of the agreement ;

(e) continuous absence of more than one year prior to application to constitute a break in any qualifying period of residence and, after registration as a voter, to involve removal from the register ;

[The provisions in the State Council (Elections) Order in Council, both as to appeals to the Governor and as to disentitlement to special privileges, not to be changed it being understood as regards the latter, that

(i) the position of the Agent of the Government of India,

(ii) the existing arrangements regarding repatriation, remain unaffected.]

(4) Provision to be made for the grant of a certificate of permanent settlement to the child of a holder of a certificate of permanent settlement and for his registration as a voter by virtue of such certificate, subject to the following conditions :—

(a) he shall have been born and bred in Ceylon, or, if born outside Ceylon, shall have accompanied his father to Ceylon or joined his father in Ceylon before attaining the age of fourteen and shall, during minority or the period of minority since his first entry into Ceylon, have been resident in Ceylon, provided that temporary absences due to the causes mentioned in Part VI, paragraph (4) shall not constitute a break in residence ;

- (b) he shall be resident in Ceylon on the date of his application for the certificate ;
- (c) such application shall be made within three years after attaining majority ;
- (d) he shall declare his intention to remain in Ceylon indefinitely ;
- (e) he shall, on making the application, prove that he has a means of livelihood in Ceylon and if married, has his wife and minor children if any, ordinarily resident with him.

PART IV.—REGISTRATION.

It is agreed that to give effect to the provisions of the agreement in regard to the right to enter and re-enter and liability to immunity from the operation of internal quota legislation, as also to maintain accurate records of immigrants and to compile labour schedules, registration is necessary. It should be either voluntary or, if compulsory, applicable to all residents in Ceylon.

PART V.—STATUS.

- (1) It is agreed that, as regards future legislation other than the legislation necessary to give effect to the agreement, there shall be no differentiation in treatment between Indians who possess a Ceylon domicile of origin or choice or a certificate of permanent settlement and other members of the permanent population.
- (2) It is agreed that, as regards future legislation other than legislation necessary to give effect to the agreement, there shall be no differentiation of treatment between other members of the permanent population and any Indian who is the child of a holder of a certificate of permanent settlement (a) during minority or, (b) after attaining majority, if he is ordinarily resident in Ceylon and has identified himself with the permanent population of Ceylon.
- (3) It is agreed that, as regards existing legislation, no amendment need be undertaken to modify any provisions which, in terms or in operation, are discriminatory.
- (4) It is agreed that Indians, other than those possessing a domicile of origin, (a) should not claim the right to appointment to Ceylon Government service or under quasi-Government bodies, provided however, that Indians already serving under Government or quasi-Government bodies will be entitled to continue in such service without discrimination, and (b) should not participate in the benefits of the Land Development Ordinance.

PART VI.—GENERAL PROVISIONS.

- (1) Wherever domicile of choice is referred to herein, it means a domicile of choice established in accordance with the procedure prescribed in Part III, Section B, paragraph (2).
- (2) Wherever domicile of origin is referred to herein, it means a domicile of origin established according to the rules of English law except in the case provided in Part III, Section B, paragraph (1).
- (3) Wherever a period of residence is prescribed herein, the period shall be computed in accordance with the following provisions :—
 - (a) as regards a period of residence prior to the date of the agreement, the prescribed period shall be exclusive of an aggregate allowance for temporary absence at the rate of five months for every year of the period prescribed* ;
 - (b) as regards a period of residence after the date of the agreement, the prescribed period shall be inclusive of an aggregate allowance for temporary absences at the rate of one and a half months for every year prescribed ;
 - (c) any continuous period of temporary absence shall not exceed one year ;
 - (d) any continuous period of absence exceeding one year shall constitute a break in the period of residence in Ceylon ;
 - (e) any period of absence shall not be deemed to be exceeded if return to Ceylon is prevented by illness, accident, emergency or other similar cause.
- (4) Any person not entitled to a return endorsement valid for a period exceeding one year who desires to leave Ceylon for purposes of education or health for a period exceeding one year shall, on establishing to the satisfaction of the prescribed authority

* Explanatory Note.—If the prescribed period of residence is X the period within which the prescribed period can be completed is $\frac{12X}{7}$.

the purpose of his absence, be entitled to a return endorsement for the requisite period, and continuous absence for more than one year in conformity with such purpose shall not be deemed to be a continuous period of absence for more than one year.

(5) It is agreed that any unforeseen case or any case of hardship which may be revealed in the operation of the agreement will be made the subject of consultation between the two Governments and will be decided in accordance with the spirit and intention of this agreement.

Agreement between the two Delegations having been reached on all the subjects discussed, this joint report is now submitted by them to their respective Governments. The Delegates wish to record that the conversations took place in an atmosphere of complete candour, cordiality and goodwill.

D. S. SENANAYAKE.

G. S. BAJPAL.

G. C. S. COREA.

MIRZA M. ISMAIL.

ROBERT H. DRAYTON.

T. G. RUTHERFORD.

T. R. VENKATARAMA SASTRI.

COLOMBO ;

Dated the 21st September, 1941.

CONGRATULATIONS TO RECIPIENTS OF HONOURS.

THE HONOURABLE THE PRESIDENT: Honourable Members, I may state at the outset for the information of Honourable Members that it is customary for the President of this Council to congratulate Honourable Members who are the recipients of Honours in the last Honour's List. It is, therefore, both my pleasure and privilege to congratulate Honourable Members who have been fortunate enough to receive distinctions from His Majesty the King. The two Members of this Council, who are unfortunately not here today, but generally now sit in the other Chamber, have received the distinguished title of K.C.S.I. They are Sir Andrew Clow and Sir Jeremy Raisman. Both these Members are well known to Honourable Members of this Council. Both of them have been for long periods in this Council, have done remarkably good work and are held in great respect by Members of this Council. One of them is the Finance Member and the other is in charge of Railways and Communications. They have both done so well that there is hardly anything for me to say on this occasion. I know all Honourable Members are very pleased that they have received such high distinction.

In connection with the title of "K.C.S.I." I take the opportunity of mentioning one other name to Honourable Members of this House and that is the name of our new Member who has joined the Council today, the Honourable Sir Firoz Khan Noon. I am sure he will have a peculiar pleasure to be in this Council because his father was for many years a distinguished and much respected Member of this Council. Sir Firoz Khan Noon, after his return to India, has received from His Majesty the King the distinguished title of "K.C.S.I." for the valuable services rendered by him in his official capacity as High Commissioner for India in a very difficult and arduous period. We are all very pleased that he has come back to India and has been nominated to this Council, and we have no doubt that he will follow in the footsteps of his distinguished and renowned father and be of material assistance both to Government and to Members of this Council.

As regards the persons on whom a "Knighthood" has been conferred, one is Sir Leonard Wilson, Chief Commissioner for Railways. He has been in this Council for the last two years since Sir Guthrie Russell vacated the

place on his appointment to the Supply Department. Sir Leonard Wilson belongs to the G. I. P. R., Bombay. I am sure you will all agree with me that in the short time that he has been in this Council he has gained the approbation, not only of all the Honourable Members, but of the Government also. He is a very careful, judicious and thoroughly just man. I only regret that he had to leave this Council to make room for some Honourable Members, because under the Constitution, the official and non-official personnel of the Council should not exceed 60. It is a matter of regret and I hope that we shall some day see him back in this Council.

The other Member on whom a "Knighthood" has been conferred is Sir John Henry Swain Richardson. He was the representative of the Bengal Chamber of Commerce to whose place our friend, the Honourable Mr. Haddow, who has taken his seat in this Council today, has succeeded. Sir John Richardson, during the two years of his office of Member of this Council, distinguished himself by making very careful and considered speeches and taking part in the debates of this House on almost all important questions. I will only state that Sir John Richardson very richly deserves the distinction conferred on him by His Majesty and I trust he will live for many years to enjoy the honour.

The "Companion of the Star of India" has been conferred on two Honourable Members of this House. One is our friend, Mr. Hydari, who has been translated to another Department. We are all pleased that his revered father has joined this House and that his son, Mr. Hydari, who is now elsewhere, is following in the footsteps of his distinguished and famous father. He richly deserves the title of "C.S.I." which has been conferred on him by Government and I predict that this is not the last of the honours that he will receive at the hands of the Government.

Another person selected for this distinction is our friend Mr. C. E. Jones, the able Finance Secretary to the Government of India. During the short time that he has been with us, you have seen his marked ability and the way in which he has dealt with the Budgets and the Finance Bills during the last two years. For the skill with which he has dealt with those Bills, it clearly appears that he is one of the ablest Civilians now in this country. The honour is richly deserved by him and I congratulate him on this high distinction, and am confident other higher distinctions will be conferred on him before long.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONOURABLE THE PRESIDENT: Honourable Members, I have a message to deliver from His Excellency the Viceroy. The message reads:—

PANEL OF CHAIRMEN.

"In pursuance of the provisions of sub-section (2) of section 63A of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, I, Victor Alexander John, Marquess of Linlithgow, hereby nominate the following Members of the Council of State to be on the Panel of Chairmen of the said Council of State:—

In the first place, the Honourable Sir David Devadoss; in the second place, the Honourable Mr. P. N. Saprú; in the third place, the Honourable Sir Muhammad Yakub; and lastly, the Honourable Maharajahdiraja Sir Kameshwar Singh of Darbhanga.

NEW DELHI;

LINLITHGOW,

The 31st October, 1941.

Viceroy and Governor General."

COMMITTEE ON PETITIONS.

THE HONOURABLE THE PRESIDENT : Honourable Members, under Standing Order 76 of the Council of State Standing Orders, I am required at the commencement of each session to constitute a Committee on Petitions consisting of the Chairman and four Members. The following Members have at my request kindly consented to preside over and serve on the Committee. I accordingly have much pleasure in nominating as Chairman of the Committee the Honourable Raja Charanjit Singh and as members, the Honourable Sir Ramunni Menon, the Honourable Mr. P. N. Saprú, the Honourable Pandit Hirday Nath Kunzru, and the Honourable Mr. M. N. Dalal.

GOVERNOR GENERAL'S ASSENT TO BILLS.

SECRETARY OF THE COUNCIL : Sir, information has been received that His Excellency the Governor General has been pleased to grant his assent to the following Bills which were passed by the two Chambers of the Indian Legislature during the Budget Session, 1941, namely :—

1. The Insurance Deposits (Temporary Reduction) Act, 1941.
2. The Indian Merchandise Marks (Amendment) Act, 1941.
3. The Petroleum (Amendment) Act, 1941.
4. The Berar Laws Act, 1941.
5. The Assam Rifles Act, 1941.
6. The Indian Railways (Amendment) Act, 1941.
7. The Indian Finance Act, 1941.
8. The Protective Duties Continuation Act, 1941.
9. The Indian Tariff (Amendment) Act, 1941.
10. The Tyres (Excise Duty) Act, 1941.
11. The Excess Profits Tax (Amendment) Act, 1941.
12. The Delhi Restriction of Uses of Land Act, 1941.
13. The Insurance (Amendment) Act, 1941.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meetings held on the 30th October, 5th and 7th November, 1941, namely :—

- A Bill further to amend the Code of Criminal Procedure, 1898.
- A Bill further to amend the Code of Criminal Procedure, 1898 (*Second Amendment*).
- A Bill further to amend the Factories Act, 1934.
- A Bill to regulate the employment of women in mines for a certain period before and after childbirth and to provide for payment of maternity benefit to them.

A Bill to empower the Federal Court to make rules regulating the presentation of appeals lying to that Court.

A Bill to limit a maximum of fifty rupees per annum the amount payable in respect of any person by way of tax on professions, trades, callings or employments.

MESSAGE FROM THE LEGISLATIVE ASSEMBLY.

SECRETARY OF THE COUNCIL: Sir, a message has been received from the Legislative Assembly. The message runs as follows:—

“ I am directed to refer to the message, dated the 28th March, 1941, regarding the reference to the Joint Committee of both Houses of the Indian Legislature of the Bill to make better provision for the administration of Masajid and the Endowment of the Jama Masjid, Fatehpuri Masjid and Kalan Masjid of Delhi, and to inform you that at the meeting of the Legislative Assembly held on Tuesday, the 28th October, 1941, the Honourable Sir Sultan Ahmad has been nominated to the Joint Committee in place of the Honourable Sir Muhammad Zafrulla Khan. ”

DEFENCE CONSULTATIVE COMMITTEE.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Sir, I beg to move:—

“ That this Council do proceed to elect, in such manner as the Honourable the President may direct, four non-official Members to serve on the Defence Consultative Committee.”

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern: Non-Muhammadan): Sir, as one who has taken some interest in the question of a consultative advisory committee I should like to welcome the announcement which His Excellency the Commander-in-Chief has just made. Sir, I see in it the partial fruition of our efforts. I say partial, because we stand for the complete transfer of control of defence to the Indian Legislature and to Indian hands.

There are just one or two things I should like to say. I understand that the Committee has visited a number of places. I should like His Excellency the Commander-in-Chief to give the Committee an opportunity of visiting places which were not included in their programme. I understand that they have not yet visited Mhow, Ambala, Belgaum, and some other centres. Also, I think they have not visited the Ordnance factories at Jubbulpore and in Calcutta.

Then, Sir, while I am glad that some of our Indian Princes and Indian statesmen have been to the front, I regret to find that no effort has been made to invite the Members of the Central Legislature to visit the theatres of war in Egypt, the Middle East and Singapore. I hope that His Excellency will be able to take into consideration the desirability of giving the members of the committee an opportunity of visiting these places and seeing for themselves the conditions under which Indian troops have to work in these theatres of war. I am sure that a visit by the members of the committee to these places will have the effect of heartening Indian troops.

[Mr. P. N. Saprū.]

There is another suggestion that I should like to make and that is that the members of the committee should be increased in numbers. I know that we are going to have ten non-official Members, four of them elected by this Council; but as it is a most important committee the numbers might be increased further. The opportunity should be given to as many members as possible of making themselves acquainted with the work of the Defence Consultative Committee.

The last suggestion that I should like to make is that the minutes of the meetings should be circulated to members of the committee. I have been told that no minutes are circulated. Well, it is difficult for members to know exactly what happened at a particular meeting if they have not something before them to guide them. Therefore, I should like the question of circulating minutes of the meetings to be taken up by His Excellency the Commander-in-Chief.

With these words, Sir, I should like once again to welcome the step which the Government has taken in forming a Defence Consultative Committee. I remember the day when such strenuous opposition was offered to the formation of a committee by the Honourable Mr. Williams. I do not think he was a free agent. But I am glad that that day is past and we have a Defence Consultative Committee. After all, the politician has proved right and the soldier who was in command at that time has been proved wrong.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) : Sir, I have to say a word on this Motion. As one who has taken some interest in defence matters in this House and as a member of the Defence Consultative Committee, I have to pay my tribute to His Excellency the Commander-in-Chief for the manner in which he took us into his confidence in putting defence matters before the Consultative Committee. I have only one complaint to make against the Defence Department of the Government of India and that is that we were given information only about the Army and not about the Air Force or the Navy. It is rather unfortunate, Sir, that during the various meetings of the Defence Consultative Committee members were not given any information about these two services. It is very important for the defence of India that the members who sit on that committee should know what steps the Government of India have taken so far as the defence of India from the air and from the sea is concerned. I therefore suggest to His Excellency to hold meetings as often as possible and to give the members of the Committee information about the Navy and the Air Force also.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Sir, I very much appreciate the welcome interest shown by Honourable Members in defence matters, and our first meeting of this Defence Consultative Committee was I think extremely useful and valuable on both sides.

As regards the question of visits by the Committee to establishments in India, I welcome any visit and it is merely a question of making the necessary arrangements and that the Committee should decide what they wish to see. Arrangements, I understand, have already been made to visit manufacturing and munition establishments in India and I shall always be prepared for any military establishment to be visited by the Committee.

As regards visits abroad, it is of course a matter for the Commanders-in-Chief of the theatres concerned and also a question of being able to make the necessary transport arrangements, so that the Honourable Members

are not away too long. I should I am sure as Commander-in-Chief in the Middle East have welcomed such a visit, and I am sure my successor there, my predecessor here, will put no obstacles in the way so far as the Middle East is concerned.

With regard to an increase in the number of members I would ask that the present number should not be increased. A committee of ten is really just about as many as we can conveniently handle. An increase in the number is bound to mean an increase in the time taken up, and as, Sir, you will appreciate, myself and my Staff are extremely busy in this time of war and I think the present number of ten is just about the number that we can conveniently deal with.

I will have the question of the circulation of the Minutes to the Committee looked into. It is again largely a question of time and labour. Of course a large part of the information given at those meetings is of an extremely secret nature and the less that is circulated on paper even to members here the better. As to information regarding the Air Force and the Navy, the only reason why that was not given at the last meeting was because of the question of time. It was the first meeting and we had a good deal to get through and we did not find time for a statement on the Indian Navy and Air Force and the members of the Committee were informed that they would be dealt with at the next meeting which it is proposed to hold at an early date. That, Sir, answers the questions put.

The Motion was adopted.

STANDING COMMITTEE FOR THE DEPARTMENT OF SUPPLY.

THE HONOURABLE MR. A. DEC. WILLIAMS (Defence Co-ordination Secretary) : Sir, I move :—

“ That this Council do proceed to elect, in such manner as may be approved by the Honourable the President, one non-official Member to serve on the Standing Committee attached to the Department of Supply, in place of Sir Henry Richardson, who, by virtue of his having resigned from the Council of State, has ceased to be a member of the Committee.”

The Motion was adopted.

THE HONOURABLE THE PRESIDENT : With reference to the two Motions which have just been adopted by the Council, I have to announce that nominations will be received by the Secretary in his office up to 4 P.M. on Tuesday, the 11th November and the election, if necessary, will be held on the 13th November, 1941.

STATEMENT OF BUSINESS.

THE RIGHT HONOURABLE SIR AKBAR HYDARI (Leader of the House) : Sir, as Honourable Members are aware, tomorrow we meet for non-official business.

The following four official Bills laid on the table this morning should, I suggest, be taken up on Thursday, the 13th :—

- (1) A Bill further to amend the Code of Criminal Procedure, 1898.
- (2) A Bill further to amend the Code of Criminal Procedure, 1898
(*Second Amendment*).

[Sir Akbar Hydari.]

(3) A Bill further to amend the Factories Act, 1934.

(4) A Bill to regulate the employment of women in mines for a certain period before and after childbirth and to provide for payment of maternity benefit to them.

The House need not meet on Wednesday, the 12th.

The Council then adjourned till Eleven of the Clock on Tuesday, the 11th November, 1941.
