

6th August 1943

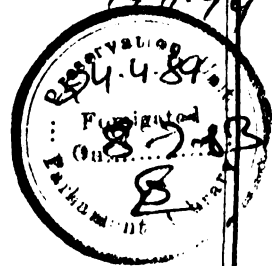
TO  
**THE LEGISLATIVE ASSEMBLY DEBATES**

**Official Report**

**Volume III, 1943**

*(26th July to 25th August, 1943)*

**EIGHTEENTH SESSION**  
**OF THE**  
**FIFTH LEGISLATIVE ASSEMBLY,**  
**1943**



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# LEGISLATIVE ASSEMBLY.

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## *President :*

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

## *Deputy President :*

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

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[From 27th July to 19th August, 1943.]

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Mr. K. C. NEOGY, M.L.A.

Mr. HOOSEINBHOY A. LALLJEE, M.L.A.

Sir HENRY RICHARDSON, M.L.A.

[From 20th August, 1943.]

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Mr. M. GHIASUDDIN, M.L.A.

Sardar SANT SINGH, M.L.A.

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

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# LEGISLATIVE ASSEMBLY

*Friday, 6th August, 1943.*

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

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS

CHIEF ENGINEERS AND COMMANDERS, ROYAL ENGINEERS, IN MILITARY ENGINEERING SERVICE.

**222. \*Mr. Nabi Baksh Ilahi Baksh Bhutto:** (a) Will the War Secretary be pleased to state the total number of Chief Engineers and Commanders, Royal Engineers, in the Military Engineering Service in India? How many of them are Indians?

(b) With reference to the answer to starred question No 276 asked by Mr. Muhammad Azhar Ali on the 31st March, 1942, will the Honourable Member please state how many Indians have been appointed to these posts since April 1st, 1942?

(c) How many of them are Mussalmans?

**Mr. O. M. Trivedi:** (a) Chief Engineers 4.

Commanders, Royal Engineers 34.

One of the latter is an Indian.

(b) One Indian has been appointed Commander, Royal Engineers.

(c) None.

### MISSING INDIAN SOLDIERS AND OFFICERS IN FAR EAST.

**223. \*Mr. Nabi Baksh Ilahi Baksh Bhutto:** Will the War Secretary be pleased to state the number of those Indian soldiers and officers who were serving in the far East and whose fate is still unknown?

<b>Mr. O. M. Trivedi:</b> Officers	...	...	360
Viceroy's Commissioned Officers	...	...	1,487
Indian Other Ranks	...	...	71,698

It is known that many are prisoners of war, but the Japanese refusal to submit nominal rolls of prisoners of war in their hands to the Protecting Power for onward transmission to the countries concerned makes it very difficult to list our casualties under killed, missing and prisoners.

### ONE-SCHOOL PROGRAMME ASSISTANTS OF THE ALL-INDIA RADIO.

**224. \*Mr. Nabi Baksh Ilahi Baksh Bhutto:** (a) Will the Honourable Member for Information and Broadcasting be pleased to state if it is a fact that nearly all the Programme Assistants in the All-India Radio belong to the same school of literature and represent the same school in the programmes?

(b) What is the number of Urdu (or Hindustani) poems in blank verse broadcast from Delhi, Lucknow and Lahore within a year?

(c) Is the Honourable Member aware of the fact that in Urdu blank verse does not exist and certain Programme Assistants and a Programme Director are giving it much more prominence than it deserves?

(d) Does the Honourable Member propose to suggest to the Controller of Broadcasting to see that Programme Assistants are posted to each station so as to represent all schools of Indian literature?

**The Honourable Sir Sultan Ahmed:** (a) Government are not aware that there are any recognised and well-defined "schools" of literature, nor is it a fact that the programmes reflect any such onesidedness as the Honourable Member suggests.

(b) Two.

(c) and (d). I am going into all these questions and hope to come to definite conclusion within the near future.

## SETTLEMENT OF KAZAKS IN INDIA.

**225. \*Mr. Nabi Baksh Illahi Baksh Bhutto:** (a) Will the Honourable the Defence Member be pleased to state what arrangements have been made for the settlement of Kazaks in India?

(b) How many of them have settled in Hyderabad and Bhopal?

**The Honourable Malik Sir Feroz Khan Noon:** (a) Pending arrangements for the permanent settlement of the Kazaks, they were maintained by the Government of India in a camp at Tarnawa in the Hazara District in the N.-W. F. P.

(b) 128 families have gone to Bhopal, but none have gone to Hyderabad.

**Mr. Muhammad Nauman:** May I know what particular facilities they were offered in British India, if they wanted to settle here?

**The Honourable Malik Sir Feroz Khan Noon:** None.

**Mr. Lalchand Navarai:** Have they come to stay here permanently?

**The Honourable Malik Sir Feroz Khan Noon:** I am afraid I have not asked them that question.

**Sir Muhammad Yamin Khan:** Why were they removed from the Kohat District?

**The Honourable Malik Sir Feroz Khan Noon:** They were not in Kohat District.

**Sardar Sant Singh:** What is the meaning of the word 'Kazak'? Is it a Persian word?

**The Honourable Malik Sir Feroz Khan Noon:** You will have to consult some school master about that.

## INDIANS CONNECTED WITH THE INDIAN ARMY, NAVY AND AIR FORCE IN SOUTH AFRICA.

**226. \*Mr. Govind V. Deshmukh:** Will the War Secretary please state:

(a) if there are any Indians connected with the Indian Army, Navy and Air Force in South Africa;

(b) the treatment they are having as regards their residence and travel in South Africa;

(c) what amenities they are having; and

(d) who pays for the expenses incurred on maintaining them in South Africa?

**Mr. C. M. Trivedi:** (a) None, Sir.

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

## SIKHS IN HIGH SALARIED POSTS IN INFORMATION AND BROADCASTING DEPARTMENT.

**227. \*Sardar Sant Singh:** Will the Honourable Member for Information and Broadcasting please state the number of posts in his Department carrying salaries of Rs. 400 *per mensem* and over, and the number of Sikhs enjoying such salaries? What is the highest salary paid to a Sikh in his Department?

**The Honourable Sir Sultan Ahmed:** There are 123 posts carrying salaries of Rs. 400 and over per month in the Department of Information and Broadcasting. Of these only one is a member of the Sikh community and he draws a salary of Rs. 700 p. m.

**Sardar Sant Singh:** Will the Honourable Member kindly take steps to complete the quota of the Sikhs in the higher posts in the Department under him?

**The Honourable Sir Sultan Ahmed:** I do not know the quota.

**Sardar Sant Singh:** Will the Honourable Member try to find out what is the quota of the Sikhs in his department?

**The Honourable Sir Sultan Ahmed:** As far as I know there is no quota.

## SIKHS IN TEMPORARY MINISTERIAL POSTS IN CERTAIN OFFICES.

**228. \*Sardar Sant Singh:** (a) Will the Honourable the Home Member kindly state the total number of ministerial posts (temporary and for the duration of War) created from the 1st September, 1939, to the 1st July, 1943, in the following offices, separately:

- (i) Director General, Posts and Telegraphs,
  - (ii) War Transport Department,
  - (iii) Labour Department,
  - (iv) Communications Department,
  - (v) Food Department,
  - (vi) Information and Broadcasting Department,
  - (vii) Intelligence Bureau,
  - (viii) Finance Department, and
  - (ix) Auditor General of India?
- (b) How many of these were filled by Sikhs?

**The Honourable Sir Reginald Maxwell:** The information is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

**Sardar Sant Singh:** May I ask the Honourable Member if he does not feel that his Department should keep statistics of the various communities recruited as a result of the Circular of July 1934?

**The Honourable Sir Reginald Maxwell:** Yes, but not in the form asked for.

**Sardar Sant Singh:** Am I to understand that the Honourable Member is not going to collect this information because of the fact that the Sikhs are very few in number?

**The Honourable Sir Reginald Maxwell:** That is not the reason. It will involve very extensive examination of the records of these departments for a period of five years and would involve a great deal of work.

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

**Sardar Sant Singh:** May I put one more question, because from my community's point of view, this is a very important question and Government is avoiding an answer?

**Mr. President** (The Honourable Sir Abdur Rahim): The next question has been called.

#### POWER OF THE HEAD OF A DEPARTMENT TO REFUSE TO ACCEPT RESIGNATION OF A TEMPORARY GOVERNMENT SERVANT.

**229. \*Sardar Sant Singh:** (a) Will the Honourable the Home Member kindly state whether the head of an office or Department has any power to refuse to accept the resignation tendered by a temporary Government servant in accordance with the terms of his appointment?

(b) Is the Honourable Member aware that such a power is being exercised by some heads of offices without assuring or guaranteeing a permanent appointment to such persons?

**The Honourable Sir Reginald Maxwell:** (a) Yes, by virtue of the provisions of the Essential Services (Maintenance) Ordinance, 1941.

(b) I am prepared to take it from the Honourable Member that cases of the kind referred to in his question have occurred. Not all temporary employees are eligible for permanent employment, and even in the case of those who are not it is not always in the public interest to allow them to resign their appointments when they want to do so.

**Sardar Sant Singh:** May I ask if that Ordinance applies to permanent servants or applies to temporary hands as well?

**The Honourable Sir Reginald Maxwell:** To all.

**Sardar Sant Singh:** Is Government at liberty to discharge a man at any time they like?

**The Honourable Sir Reginald Maxwell:** That depends upon the terms of the employment in each case.

**Sardar Sant Singh:** May I know if there is any justice in the position that the Government can discharge a man at any time but that the man cannot leave the service for getting a permanent post elsewhere?

**Mr. President** (The Honourable Sir Abdur Rahim): That is an argument.

**POLICY OF GOVERNMENT *re* ALLOWING PRIVATELY CONGRESS ACTIVITIES, FROM INSIDE THE JAIL.**

**230. \*Mr. H. A. Sathar H. Essak Salt:** Will the Honourable the Home Member be pleased to state:

(a) whether he has seen the statement issued by Mrs. Rukmini Lakshmipathi published on page 4 in the *Hindu*, dated the 11th May, 1943, under the heading "Central Assembly Bye-election", in which the following passage occurs—

"On April 6, Sri K. Kamaraj Nadar, President, Tamil Nadu Provincial Congress Committee, now a detenu in the Amraoti District Jail, wrote to me, authorising me to set up a Congress candidate for the bye-election. The office-bearers of the Tamil Nadu and Andhra Provincial Congress Committees and most of the members of their respective Working Committees are in the same jail. Recently when there were proposals to hold elections to the Legislative Council they were unanimously in favour of running Congress Party candidates and letters to that effect were received in January last. Having this as a precedent, action was taken on the authority specifically communicated to me from the Amraoti jail in a letter censored by the jail authorities"; and

(b) whether it is the policy of Government to allow privately the Congress to carry on their normal activities, to hold meetings, and to give directions from inside the jail?

**The Honourable Sir Reginald Maxwell:** (a) Yes.

(b) No.

**Mr. H. A. Sathar H. Essak Salt:** How is it that these letters are exchanged through the jail authorities?

**The Honourable Sir Reginald Maxwell:** I have no information that they are.

**Mr. H. A. Sathar H. Essak Salt:** The statement that has appeared in the *Hindu* has not been contradicted either by the Congress or the Government?

**The Honourable Sir Reginald Maxwell:** The mere fact that the statement has not been contradicted does not mean that it is true. So far as I know, the statement might refer to one letter which was written to Mrs. Satyamurti or some one else by a security prisoner on behalf of Kamaraj Nadar. This letter contained a remark that as Mr. Satyamurti was dead she should see that his place was properly filled and this remark was not censored as no political significance was attached to it at the time.

**Mr. H. A. Sathar H. Essak Salt:** Then the statement made by Mrs. Lakshmipathi is not according to facts?

**The Honourable Sir Reginald Maxwell:** It was according to her own interpretation of them.

**STOPPAGE OF MESSAGES FROM RELATIVES IN INDIA TO INDIANS IN JAPANESE OCCUPIED ISLANDS.**

**231. \*Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Information and Broadcasting be pleased to state whether it is a fact that the Director, External Service, All-India Radio, Delhi, has intimated to the public that messages or information from relatives in India will not be sent henceforth to Indians in islands in the occupation of Japan? If so, why?

(b) What steps do Government propose to take to ensure that the news of welfare of the families and relatives of Indians in countries now under the Japanese domination are conveyed to them till they are freed? If not, why not?

**The Honourable Sir Sultan Ahmed:** (a) and (b). Messages for broadcast are accepted by All-India Radio for all territories in Japanese possession including Japan itself. The second part of part (a) and part (b) of the question do not, therefore, arise.

**Mr. Lalchand Navalrai:** Is it that the information is being received through the All-India Radio from Japan and also intimations are being sent from here over there mutually?

**The Honourable Sir Sultan Ahmed:** The question is whether it is a fact that the Director, External Service, All-India Radio has intimated to the public

that messages or information from relatives in India will not be sent henceforth and the answer to that is 'No'.

**Mr. Lalchand Navalrai:** Then, may I take it that information is being sent?

**The Honourable Sir Sultan Ahmed:** 32 messages a day.

**DESIRABILITY OF STOPPING THE PUBLICATION OF *The Indian Information*.**

**232. \*Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Information and Broadcasting be pleased to state whether it is a fact that Government publishes a periodical entitled *The Indian Information*? If so, at what intervals, and what are the expenses incurred, separately, on its editing, printing and despatching?

(b) Have Government considered the relative cost of this publication as compared with the advantages gained? If so, which is greater?

(c) What is the annual consumption of newsprint on the production of *The Indian Information*? Have Government considered the question of the publication being stopped, in view of the acute shortage of paper in the country?

(d) Is it a fact that the news published in *The Indian Information* are very old and obsolete which had come in the public press months before the issue of *The Indian Information*? What purposes does *The Indian Information* serve?

(e) Is it a fact that the principal Information Officer of the Government of India issues unofficial notes daily for information and publication by press either as worded by him or used as back ground material?

(f) Is it a fact that Government communiqués and press notes are issued when necessary? Why then is *The Indian Information* continued to be published as duplicating the press information of Government? Is it proposed to close this periodical? If not, why not?

**The Honourable Sir Sultan Ahmed:** (a) Yes. *Indian Information* is published twice a month. The average expenses incurred on its editing are Rs. 1,220 a month. Information regarding the printing and despatching charges has been called for and will be laid on the table of the House when received.

(b) Yes. Government consider that the advantages of the publication outweigh the expenditure involved.

(c) *Indian Information* is not printed on newsprint but on supercalendered paper produced in India of which about 126 tons are consumed in a year. It is not proposed to stop the publication but I would like to assure the Honourable Member that the needs of paper economy are constantly kept in view.

(d) *Indian Information* does not pretend to be a newspaper. It is produced mainly to serve as a reference record for the use of newspaper offices, libraries, persons, institutions, etc., whose role is to inform the public, and it is supplied only to those who ask for it.

(e) Yes.

(f) Yes. For reasons already stated it is not proposed to close the periodical.

**Mr. K. O. Neogy:** Will the Honourable Member consider the desirability of amalgamating this publication with any cinema film magazine? In that case the Honourable Member can be assured of having the portraits of Members of the Executive Council printed as now.

**The Honourable Sir Sultan Ahmed:** I will seriously consider that!

**Sir F. E. James:** May I ask the Honourable Member to recollect for a moment the debate in this House on the question of the shortage of paper and the brave words which were then used by one of his colleagues as to the reproduction of this journal in a smaller form, and ask why in spite of that, nothing has been done up-to-date?

**The Honourable Sir Sultan Ahmed:** The number of pages has been reduced and we have also tried to reduce the circulation. The question of reducing the size of the magazine has been under very serious consideration and it is only because the present contractors could not arrange to print it in a reduced size that we have not been able to do it. The moment the present contract

expires, we propose to give it to another publisher who has agreed to reduce the size and have it in a smaller form.

**Pandit Lakshmi Kanta Maitra:** Do the figures relate to the cost of the editing of the journal?

**The Honourable Sir Sultan Ahmed:** Yes.

**Pandit Lakshmi Kanta Maitra:** Do I understand that this editor was appointed by his Department some time ago for this specific purpose?

**The Honourable Sir Sultan Ahmed:** I must have notice of that question.

#### THE ENQUIRY ENTRUSTED TO DR. NEMENYI.

**233. \*Mr. T. T. Krishnamachari:** Will the Honourable the Finance Member please state:

- (a) the terms and the scope of the enquiry entrusted to Dr. Nemenyi;
- (b) the cost of the enquiry to Government;
- (c) the credentials of Dr. Nemenyi for being entrusted with this work;
- (d) whether no Indian Economist of standing was available for the purpose; and
- (e) if Dr. Nemenyi has submitted his report to Government, if so, if it will be made available to the public?

**The Honourable Sir Jeremy Raisman:** (a) The object was to make a rapid survey, by means of direct contacts both official and non-official, of the opinions held regarding present economic trends and the scope for ameliorative action both in Central and provincial fields, and in Indian States;

(b) The total cost to Government will be about Rs. 6,000.

(c) Knowledge and practical experience of economic, financial and currency problems combined with widespread business contacts throughout India and the Indian States extending over a number of years.

(d) No other economist possessing the same personal qualifications was available for the immediate purpose;

(e) Dr. Nemenyi has already submitted a number of interim reports, but it is not proposed to publish them.

**Mr. T. T. Krishnamachari:** What was Dr. Nemenyi doing before he undertook this inquiry?

**The Honourable Sir Jeremy Raisman:** I understand that he had a business appointment.

**Mr. K. C. Neogy:** Was he not also engaged in writing a book in support of the Honourable Member's theories in connection with currency and finance?

**The Honourable Sir Jeremy Raisman:** As far as I am aware, he was not actually engaged at that time on that particular book, but it is true that he had published his views quite independently on the question of inflation.

**Sardar Sant Singh:** What are the academic qualifications of this gentleman?

**The Honourable Sir Jeremy Raisman:** I cannot precisely quote them at this moment, but he has been recognised for some time as being a competent economist.

**Dr. P. N. Banerjee:** Recognised by whom?

**The Honourable Sir Jeremy Raisman:** By my predecessors. He was associated, as far as I remember, with the Banking Inquiry Commission.

**Sir Cowasjee Jehangir:** Was this gentleman employed in India before?

**The Honourable Sir Jeremy Raisman:** Yes, Sir.

**Sir Cowasjee Jehangir:** With whom was he employed?

**The Honourable Sir Jeremy Raisman:** He has been employed with an Indian firm for some time.

**Sir Cowasjee Jehangir:** What is the name of that firm with whom he was employed?

**The Honourable Sir Jeremy Raisman:** I do not know the precise name of the firm and I do not think this question is relevant.

**Sir Cowasjee Jehangir:** Was he not employed with Birla Brothers?

**The Honourable Sir Jeremy Raisman:** So far as I am aware, that is not correct.

**Mr. Muhammad Azhar Ali:** When the Honourable Member does not know the qualifications of this gentleman, how can he say that there was none to be found in India of those qualifications?

**The Honourable Sir Jeremy Raisman:** I have seen his qualifications and I know that they are perfectly adequate.

**Mr. Muhammad Azhar Ali:** But the Honourable Member is not prepared to disclose them?

**The Honourable Sir Jeremy Raisman:** I did not say that. I do not happen to have such details as the name of the University where he graduated from before me at the moment.

**Pandit Lakshmi Kanta Maitra:** The Honourable Member said that this gentleman is an economist and has written a book on inflation. What views did he express in that book? Were they in favour of the policy of the Government of India?

**The Honourable Sir Jeremy Raisman:** Those views are expressed independently.

**Pandit Lakshmi Kanta Maitra:** Did he write that book before he joined the office?

**The Honourable Sir Jeremy Raisman:** He had written an article or a series of articles before he undertook this particular inquiry.

**Pandit Lakshmi Kanta Maitra:** Is it a fact that because his views are favourable to the Honourable Member's Department, he was taken in his Department? Is there any foundation for that allegation?

**The Honourable Sir Jeremy Raisman:** I do not think that will be a fair inference.

**Mr. N. M. Joshi:** May I ask whether the results of the inquiry made by the Doctor will be published and supplied to the Members of the Legislature?

**The Honourable Sir Jeremy Raisman:** I have already answered that question.

**Mr. N. M. Joshi:** May I ask the Honourable Member to repeat the reply?

**The Honourable Sir Jeremy Raisman:** The answer was that it is not proposed to publish them.

**Mr. N. M. Joshi:** May I ask whether the Honourable Member is aware that this learned Doctor has completed a report which was circulated to the Members of the Assembly?

**The Honourable Sir Jeremy Raisman:** It was not circulated by the Government.

**Mr. Govind V. Deshmukh:** May I ask what attempts were made to secure an Indian of the required qualifications before the Honourable Member came to the conclusion that no Indian of the required qualifications was to be found?

**The Honourable Sir Jeremy Raisman:** There are a number of economists already in the employ of Government but such of them as might have been suitable were all too occupied at that time to be sent round the country.

**Dr. P. N. Banerjee:** Do the Universities of India not employ any economists and are they not suitable?

**The Honourable Sir Jeremy Raisman:** I must point out that this was not merely an academic inquiry. It was an inquiry of a different nature. It was as I said, in the nature of a practical survey of opinions held by individuals and it was necessarily to be conducted by an individual who had already made certain contacts.

**Sardar Sant Singh:** As there has been a good deal of discussion in this House on the question of inflation and other matters connected with it, will the Honourable Member be pleased to circulate this report as confidential to the Members of this House?

**The Honourable Sir Jeremy Raisman:** No, Sir. The value of reports of that kind would be greatly diminished if they were not compiled entirely confidentially.

**Pandit Lakshmi Kanta Maitra:** Is this economist an Austrian? If so, was he appointed on the recommendation of Herr Hitler?

**The Honourable Sir Jeremy Raisman:** I believe he is of Hungarian origin. I think at the present time he is a naturalised British citizen.

**CONTROL OF CAPITAL ISSUES AND NEW JOINT STOCK COMPANIES STARTED WITH GOVERNMENT PERMISSION.**

**234. \*Mr. T. T. Krishnamachari:** Will the Honourable the Finance Member please state:

(a) whether Government have specifically laid down the type and nature of Joint Stock Companies for the promotion of which permission will be granted besides the general indications afforded by the Government communiqué on the control of capital issues, to guide the Government Examiner of Capital Issues; if so, what they are;

(b) how many Joint Stock Companies professing to have a capital of over a lakh of rupees have been started with Government's permission since the date of the ordinance on the subject; and

(c) if Government are satisfied that every one of these concerns that have been started with Government's permission, fill a basic need of the country?

**The Honourable Sir Jeremy Raisman:** (a) No. The final decision is that of the Government.

(b) Separate information is not available distinguishing between companies with a capital of one lakh and less and companies with a capital of over one lakh; but the total number of new companies which have been allowed to issue capital, up to 24th July, was 132.

(c) No, since in 88 out of the 132 cases, consent was given without special scrutiny on the lines suggested by the Honourable Member either because arrangements had already been carried very far when the control was introduced or because the concerns were private companies with petty capital.

**HARDSHIPS CAUSED BY THE NEW DEFENCE OF INDIA RULE TAKING POWER TO PROHIBIT ADVANCES AGAINST SPECIFIED COMMODITIES.**

**235. \*Mr. T. T. Krishnamachari:** Will the Honourable the Finance Member please state:

(a) whether Government had to amend the Defence of India Rules and add a new clause No. 94B, taking power to prohibit advances against specified commodities by reason of any appreciable increase in bank advances in this country;

(b) whether Government are aware that the possibility of a blanket ban of the nature contemplated in the new Rule being imposed is having a greatly unsettling effect on the market;

(c) whether Government considered that it could not have achieved its aim, if any, by private negotiation with banking interests; if not, why not;

(d) whether Government have taken into account before acting in this matter, the considerable quantity of distress selling and hardship that will result to interests who are not fortunately placed so as to command a large capital of their own;

(e) what steps are being taken by Government to allay panic, and to safeguard the interests of the *bona fide* merchants and traders; and

(f) whether Government contemplate putting a check on advances unsecured by the mortgage of commodities?

**The Honourable Sir Jeremy Raisman:** (a) No.

(b) No.

(c) No. The making of advances is not confined to banking institutions so that negotiations with banks even if practicable would not cover the whole field.

(d) and (e). No order has so far been issued under the new rule and the reaction produced by Government taking power to prohibit such advances of which the Honourable Member is perhaps aware, is itself evidence that the former high level of prices was in large part due to speculation. Government have no reason to believe that should notification of any commodities prove necessary for this purpose, *bona fide* merchants and traders who do not indulge in speculation will suffer.



(f) Not at present, though should such a course of action at any future time appear desirable in the public interest, Government would not hesitate to take such action as lay within their power.

**Mr. T. T. Krishnamachari:** Arising out of the answer to part (a), may I ask what is the reason which prompted the Government to issue this new Rule?

**The Honourable Sir Jeremy Raisman:** Because they thought it would have a salutary effect.

**Mr. T. T. Krishnamachari:** Was it merely to have the effect of a threat and nothing more?

**The Honourable Sir Jeremy Raisman:** No, Sir. It is not merely a threat but it is a threat which can and which will be put into action if necessary.

**Mr. T. T. Krishnamachari:** May I know if the Honourable Member is aware that the Reserve Bank has issued instructions to Scheduled Banks not to take notice of this new Rule?

**The Honourable Sir Jeremy Raisman:** I am not aware of that. But I am aware that the Reserve Bank has told Banks that unless they exercise considerable caution, they may provoke action in this way.

**Mr. T. T. Krishnamachari:** What is the estimate of the Government with regard to the question of lowering of prices owing to the deflationary reactions to this new Rule?

**The Honourable Sir Jeremy Raisman:** I must ask the Honourable Member to read the various market reports. There have been quite notable effects on various indices.

**Mr. T. T. Krishnamachari:** May I ask if the Honourable Member bases his presumption on the fact that index prices have dropped because that was due to cloth control order?

**The Honourable Sir Jeremy Raisman:** There are at least another half a dozen indices which have also responded.

**Sir Cawasjee Jehangir:** What is the effect on the price of silver?

**The Honourable Sir Jeremy Raisman:** There was a notable drop in the bullion market. But I should like to take this opportunity of warning my friends in the bullion market

**Sardar Sant Singh:** But they are not here to hear you.

**The Honourable Sir Jeremy Raisman:** But I have no doubt it will reach them. I should like to take this opportunity of warning them that any disaster which may again come upon them will be entirely provoked by themselves

#### OBSERVATIONS OF THE CHIEF JUSTICE OF BENGAL *re* DEFENCE OF INDIA RULE 26.

**236. \*Mr. K. C. Neogy:** (a) Will the Honourable the Home Member be pleased to state whether it is a fact that in the course of the judgment delivered on the 14th July last in two Contempt of Court cases, arising out of the arrest of Mr. Shibnath Banerjee and Mr. Datta Mazumdar, Members of the Bengal Legislative Assembly, under Bengal Regulation III of 1818, after their release from detention under Rule 26 of the Defence of India Rules by a Special Bench of the High Court, the Chief Justice of the Calcutta High Court made observations to the following effect:—

“That it was a surprise to His Lordship when he found that there was no provision under Defence of India Rule 26 to inform the detenu of the grounds on which he was detained and no provision for his being allowed to show cause against his detention; that in Bengal Regulation III of 1818, there was a provision for enabling the detenu to be told what were the grounds for his detention, and for enabling him to show cause against it; that a regulation made in England under the Emergency Power Act of 1939, which provided for the detention of certain persons who were not brought to trial, contemplated an opportunity being given to the detenu of having the grounds for his detention stated and showing cause against the detention; and that His Lordship drew attention to the absence of a similar provision in Defence of India Rule 26, in the hope that those who were responsible for this, might consider it”?

(b) Does the Honourable Member propose to lay on the table the full text of the observations made by His Lordship the Chief Justice on this point.

(c) Is any action proposed to be taken in the matter, as a result of the said observations of the Honourable the Chief Justice of Bengal?

**The Honourable Sir Reginald Maxwell:** (a) and (c). The attention of the Honourable Member is invited to my reply to Mr. Deshmukh's question No. 172 on the 3rd August, 1948.

(b) The judgment will doubtless be reported in due course in an issue of law reports maintained in the Library and in the circumstances I do not propose to lay a copy on the table.

**Mr. K. O. Neogy:** Do I take it that the Honourable Member has obtained an authenticated copy of these observations and still he declines to place them on the table?

**The Honourable Sir Reginald Maxwell:** No, Sir. As I have said in reply to the question referred to, a copy of the judgment has been applied for, but has not yet been received.

**Sardar Sant Singh:** How is the Honourable Member aware that this particular judgment is to be published in the *Indian Law Reports*?

**The Honourable Sir Reginald Maxwell:** That is the usual procedure.

**Sardar Sant Singh:** Not necessarily. May I ask the Honourable Member that in view of the observations that have come from such a high quarter as the Chief Justice of Bengal, have the Government of India taken any steps to examine the proposal and reach any conclusions about it?

**The Honourable Sir Reginald Maxwell:** As I explained before, we cannot examine these things on Press Reports. We must have an authentic copy of the judgment itself and when it is received, we shall examine it.

#### PERSONS SHOT TO DEATH IN DELHI PROVINCE BY THE MILITARY OR THE ARMED POLICE.

**237. \*Mr. K. O. Neogy:** (a) Will the Honourable the Home Member be pleased to make a brief statement regarding the case in which the District and Sessions Judge of Delhi convicted four members of the armed police under Section 302 of the Indian Penal Code, for the murder of three boys by shooting on the night of October 30-31, 1942, and sentenced them to death?

(b) What was found by the learned Judge to be the motive of the murder?

(c) Is it a fact that rewards had actually been ordered to be paid on behalf of Government to the four convicted members of the police force for having shot the three boys?

(d) In how many other cases were people shot to death in the Delhi Province in August, September and October 1942, by the military or the armed police by way of dispersing crowds, dealing with unlawful assemblies and stopping or preventing of sabotage or otherwise? Will the Honourable Member lay on the table a brief statement giving the circumstances of each such case?

**The Honourable Sir Reginald Maxwell:** (a) and (b). In the case to which the Honourable Member refers the High Court has still to pass orders on the reference made from the Sessions Court for the confirmation of the sentences and on the appeals preferred by the convicted persons. While the case is thus *sub-judice* it would not be proper for me to make any statement.

(c) No rewards were paid or ordered to be paid to the men in question by any authority in the Delhi Province.

(d) The number of persons killed in Delhi Province during August, September and October last year by police firing was 20 and by military firing 14. I do not consider that any useful purpose would be served by going into the circumstances of each case.

**Mr. T. T. Krishnamachari:** With reference to the answer to part (a), may I ask whether one of the prosecution witnesses who gave evidence in this case has figured in the police court as a prosecution witness on 60 occasions?

**The Honourable Sir Reginald Maxwell:** I am not aware of that.

**Mr. T. T. Krishnamachari:** Will the Honourable Member kindly make enquiries?

**The Honourable Sir Reginald Maxwell:** If it is relevant to the case, it is for the High Court to take notice of it in passing orders.

# INDIAN REPRESENTATION AT THE PROPOSED INTERNATIONAL CURRENCY CONFERENCE.

**238. \*Mr. T. T. Krishnamachari:** Will the Honourable the Finance Member please state:

(a) whether it is a fact that the Indian Government have been invited to send representatives to the proposed International Currency Conference, as reported in the *Hindu* of Madras in its issue of the 22nd July, 1943; and

(b) whether Government have decided to send Sir Theodore Gregory to represent them at this conference?

**The Honourable Sir Jeremy Raisman:** (a) No arrangements have yet been made for the holding of an International Currency Conference. India has been invited to send technical experts to discuss informally and without commitments with the technical experts of the Government of the United States of America the feasibility of post-war international monetary co-operation.

Government are at present awaiting public reaction and comment on the two plans which were published in India on the 5th July last and given the widest circulation. When this is forthcoming and the Reserve Bank's views have been received, Government will consider what further steps should be taken.

(b) The question of the representatives to be sent to the International Conference, if and when it is summoned, has not yet been considered.

**Sardar Sant Singh:** May I ask if the Honourable Member will secure representation of Indians only on this Conference?

**The Honourable Sir Jeremy Raisman:** The Government of India are fully aware of the importance of Indian representation.

**Mr. Muhammad Nauman:** May I know if the nomination will be made by the Executive Council or by the Finance Department?

**The Honourable Sir Jeremy Raisman:** It will be made by the Government of India.

**Pandit Lakshmi Kanta Maitra:** Have the Government of India formally issued any letter of invitation to the commercial bodies to express opinions on their two proposals or simply given publicity to the proposals and awaiting their criticisms to be published in the Press?

**The Honourable Sir Jeremy Raisman:** I think they have invited opinions.

**Mr. T. T. Krishnamachari:** Will the Government of India give an assurance that in case representatives are sent, it would not be confined purely to technical experts of the Government of India?

**The Honourable Sir Jeremy Raisman:** There are two possibilities. One is a preliminary technical conference which must be confined to technical experts, and the other is a full-blown International Conference which would, I imagine, not be of a purely technical character.

**Pandit Lakshmi Kanta Maitra:** Does the Honourable Member mean that technical experts will be purely officials or will include non-officials also?

**The Honourable Sir Jeremy Raisman:** It would consist of technical experts. I do not think they would necessarily be either officials or non-officials.

**Mr. T. T. Krishnamachari:** Will the Honourable Member again cast his eye round for suitable experts outside those in the employment of the Government of India in case he has to send somebody, as he has done in the case of Dr. Nemenyi?

**The Honourable Sir Jeremy Raisman:** I am always prepared to receive competent assistance from any quarter from which it may be forthcoming.

**Pandit Lakshmi Kanta Maitra:** May I take it that the possibility of non-official experts being taken is not excluded? If so, what procedure are Government going to lay down for getting the necessary non-official experts?

**The Honourable Sir Jeremy Raisman:** I have said that the possibility is not excluded, but I do not think that any special procedure is necessary in the process of selection.

SCALE OF PAY OF A GAZETTED PUBLIC OFFICER ALLOWED LEAVE OUT OF INDIA PRIOR TO RETIREMENT.

**239. \*Mr. Muhammad Azhar Ali:** Will the Honourable the Finance Member please state:

(a) the scale of pay (old or 1934 revised) to which a Gazetted Public Officer is entitled, if that officer was allowed leave out of India prior to retirement from the 17th May, 1939, to the 23rd November, 1940, when he finally retired from the cadre and was re-employed in May 1941; and

(b) the rule under which the Government of India is entitled to compute the period from the 23rd November, 1940, to the 30th April, 1941, into leave without allowances, when his name was removed from the Rolls of the Establishment on the 23rd November, 1940?

**The Honourable Sir Jeremy Raisman:** (a) Such an officer would be entitled to the revised scale of pay.

(b) There is no such rule.

CONDITIONS OF SERVICE OF RAILWAY SERVANTS EMPLOYED IN TRANSPORTATION UNITS OF THE INDIAN ARMY.

**240. \*Mr. Muhammad Azhar Ali:** (a) Will the War Secretary please state the terms and conditions of service under which Railway servants are employed in the Transportation Units of the Indian Army?

(b) Are Railway servants employed in those units and governed by the Payment of Wages Act, IV of 1936, liable to be punished with fine under the Indian Army Act? If so, to what extent?

(c) How many Railway servants of those units were punished with fine (extent, amount together with the nature of the offence to be stated in each case) by the Officer Commanding, Training Depot, Jullundur, during the preceding two years?

**Mr. C. M. Trivedi:** (a) The terms and conditions are contained in Army Instruction (India) No. 56 of 1943, a copy of which is in the library of the House.

(b) Yes, Sir. Railway personnel employed in Transportation (Railway) Units are liable to a fine of half a month's pay or Rs. 100, whichever is less, provided that in the case of Havildars and Naiks (or equivalent rank) their total monthly emoluments exceed Rs. 50 and in the case of Lance Naiks and Sepoys (or equivalent rank) their total monthly emoluments exceed Rs. 45.

(c) The information required is not readily available. It has been called for and will be laid on the table in due course.

**Sardar Sant Singh:** Does the Payment of Wages Act apply on their recruitment in the army?

**Mr. C. M. Trivedi:** The position I have stated is not affected by the applicability or otherwise of the Payment of Wages Act.

**Sardar Sant Singh:** Were they governed by that Act when they were in railway employment?

**Mr. C. M. Trivedi:** I think so.

**Sardar Sant Singh:** Why has this privilege been taken away now?

**Mr. C. M. Trivedi:** The liability to a fine is one of the conditions of their employment in the Units.

CIVIC GUARDS IN THE DELHI PROVINCE.

**241. \*Mr. Muhammad Azhar Ali:** Will the Honourable Member for Civil Defence please state:

(a) the date on which the Civic Guards were recruited in the Delhi Province;

(b) the strength of such Guards on the 30th June, 1942, and on the 30th June, 1943;

(c) the number of rank and file permitted to resign with reasons therefor; and

(d) the present strength?

**The Honourable Sir Reginald Maxwell:** (a) The Civic Guards in the Delhi Province were formed in July 1940.

(b) The strength of the Civic Guards on the 30th June, 1942, was 9 Unit Commanders, 18 Unit Officers and 107 other members.

The strength on 30th June, 1943, was one Commander, 8 Unit Commanders, 7 Unit Officers and 157 other members.

(c) 10 officers and 133 other members tendered their resignations for the following reasons:

(1) 3 officers and 33 other members joined the Army.

(2) One officer joined the Police.

(3) One officer and 2 other members joined the Air Raid Precautions Organisation.

(4) One officer and 50 other members resigned owing to the pressure of other public or private work.

(5) 4 officers and 33 other members resigned on their leaving Delhi.

(6) 15 members resigned on account of ill health.

(d) The present strength is one Commander, 8 Unit Commanders, 7 Unit Officers and 157 Civic Guards.

**Sir Cowasjee Jehangir:** May I know why the Honourable the Home Member is answering a question on behalf of the Civil Defence Department?

**The Honourable Sir Reginald Maxwell:** The question was wrongly addressed to the Civil Defence Department as the Home Department is in administrative charge of Civic Guards in Delhi Province.

#### UNSTARRED QUESTION AND ANSWER.

##### THEFT CASES REGISTERED BY SHAHDARA POLICE STATION.

**52. Mr. Muhammad Azhar Ali:** Will the Honourable the Home Member please state:

(a) the number of cases of theft registered by the Shahdara Police Station during the preceding five years, year by year; and

(b) the number of cases of theft registered but remained untraced during that period?

**The Honourable Sir Reginald Maxwell:** (a) and (b). The number of thefts registered and of those that remained untraced at the Shahdara Police Station during the last five years is:

Year.	Registered.	Untraced.	Year.	Registered.	Untraced.
1938 .	18	13	1941 .	21	6
1939 .	22	13	1942 .	18	10
1940 .	15	6			

#### MOTION FOR ADJOURNMENT.

##### DEATHS DUE TO STARVATION IN BENGAL.

**Mr. President** (The Honourable Sir Abdur Rahim): I have received notice from Mr. K. C. Neogy of a motion of adjournment for discussing a definite matter of urgent public importance, namely, the failure of the Government of India to make urgent inquiries into reports that deaths are taking place in Calcutta and in the interior of the province of Bengal due to starvation.

Why does the Honourable Member say that they have failed to make any inquiry?

**Mr. K. C. Neogy** (Dacca Division: Non-Muhammadan Rural): Sir, I shall explain the point. The reports to which I allude have been appearing in the press from about the beginning of the second week of July. Early in the third week of July, there was a debate in the Bengal Legislative Assembly in which specific allegations of this character were made by responsible members, and

those reports were published in the press and must have been seen by the Government of India.' In this House, I asked a question on the 2nd August last, drawing the attention of the Honourable Member in charge to some of these reports; and in reply he stated that he had seen those reports. In reply to my query as to whether the Government of India proposed to hold inquiries, the Honourable Member stated that the Government of Bengal had instituted inquiries, and then in reply to supplementary questions the Honourable Member, to my mind, showed his disinclination to take any initiative for the purpose of making inquiries on behalf of the Government of India into these very serious allegations.

**Mr. President** (The Honourable Sir Abdur Rahim): What is there in the answers to lead to that conclusion?

**Mr. K. C. Neogy**: In one question I asked:

'Is the Honourable Member in possession of all the reports regarding deaths from starvation in Bengal, Orissa and other provinces? Is he expected to be kept regularly informed by the provincial authorities in this particular matter?'

In reply to that the Honourable Member said:

'I cannot say that the Government of India is in possession of all the reports on the subject because so many appear in so many places that it is very difficult for us. Whenever there is a question we make inquiries from the Provincial Governments and are informed of the situation. Otherwise the general situation is fairly well known.'

Then I put a suggestion in the next question:

'Is the matter not of sufficient importance to merit a sort of general instruction being issued from the Government of India that all reports regarding deaths from starvation which may happen in any part of the country should be reported promptly to the Government of India?'

In reply to that the Honourable Member stated as follows:

'I will consider the suggestion. No doubt I feel that if the matter is really of such a character as it should be communicated to the Government of India, then the Provincial Governments will no doubt do so.'

Which means that the Government of India were not very anxious to send down any definite instructions to that effect, and would rather depend upon the judgment of the Provincial Governments in this matter.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member said that he would consider the suggestion made.

**Mr. K. C. Neogy**: There were several other questions and answers to that effect, but the immediate reason why I gave notice of this motion was that yesterday, when my Honourable friend Mr. Deshmukh asked a similar question drawing his attention to the fact that a very large number of people were reported to be dying every day in the streets of Calcutta, the Honourable Member in charge stated: "I have seen a press report to that effect."

Which shows that although the seriousness of the situation is definitely known to Government, they have failed to rise to the height of the occasion and make inquiries into these very serious allegations. The point is whether the Government of India have any responsibility in such matters. That is the issue which I should like to raise. There is a Food Department in the Government of India of which the Honourable Member Sir Azizul Huque is in charge. If there is any justification for the creation of the Food Department and the creation of a Member in charge of that department, I should like to know whether the Government of India have any responsibility in any circumstances and at any stage, and whether those circumstances have not yet arisen and whether that stage has not yet been reached, so far as Bengal is concerned.

**The Honourable Sir M. Azizul Huque** (Food Member): Sir, I entirely contradict the inferences which have been drawn by the Honourable Member. I merely stated that my attention has been drawn to it. But there was neither a question nor an answer,—and I could not give an answer in view of the debate coming up on Monday,—as to what steps have been taken. We have taken immediate steps wherever we considered matters so serious as to get information.

**Mr. President** (The Honourable Sir Abdur Rahim): Then the Government of India have made inquiries?

**The Honourable Sir M. Azizul Huque:** Yes, Sir, and it is still in the process of inquiry. We are not satisfied with the inquiry and we have telegraphed and we are still in the process of getting information.

**Mr. President** (The Honourable Sir Abdur Rahim): In view of the statement made by the Honourable Member I do not think any case has been made out for the motion of adjournment and I disallow it.

**Mr. K. O. Neogy:** Sir, is the statement made by the Honourable Member that Government have made inquiries, a sufficient answer? Is not that a justification for discussion of the whole question?

**Mr. President** (The Honourable Sir Abdur Rahim): The whole question can be discussed on Monday. I understand the position in Bengal is serious and a number of Members take a great deal of interest in the matter, and I am sure the question will be fully discussed.

## DECLARATION OF EXEMPTION UNDER THE REGISTRATION OF FOREIGNERS ACT.

**The Honourable Sir Reginald Maxwell** (Home Member): Sir, I lay on the table a copy of the Declaration of Exemption No. 1/16/43-Political (E), dated the 28th July 1943 issued under the Registration of Foreigners Act, 1939.

No. 1/16/43-Political (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

*Simla, the 28th July, 1943.*

## DECLARATION OF EXEMPTION.

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 declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to or in relation to Mr. Charles Pope, an employee of the United States Office of War Information at Bombay, so long as he continues to be so employed.

B. R. PANDEY,

*Under Secretary to the Government of India.*

## THE DELHI UNIVERSITY (AMENDMENT) BILL—contd.

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now resume discussion of the Delhi University Bill. Item No. 11 on the printed list was under discussion.

**Nawabzada Muhammad Liaquat Ali Khan** (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, when the House adjourned yesterday we were discussing the amendment that was moved by my Honourable friend, Mr. Nairang. The amendment lays down that the powers of granting recognition or withdrawal of recognition to any of the colleges that are being given under this Bill to the Executive Council will be subject to confirmation by the Court. There were two objections that were raised by the Government against this amendment: One was that the Court meets only once a year; the other was that the question of granting recognition or withdrawal of recognition required knowledge of day to day administration of the University. I am afraid neither of these arguments can convince us that the amendment which is sought to be made is not necessary.

The question of granting recognition or withdrawal of recognition to any college is not such that it arises every day. I would like to know if there have been many cases where recognition has been withdrawn or recognition has been granted during the last twenty years. Sir, so far this power rested with the Court of the University. Now, it has been decided that the power will rest with the Executive Council. This power to the Executive Council does not exist,

[Nawabzada Muhammad Liaquat Ali Khan.]

as far as I am aware, in any of the Universities of India. In other Universities where the power has been given to the Executive Council it is subject to confirmation by the Court. I do not see that any harm will be done to the administration of the University if this power was made subject to confirmation by the Court. It is bound to create, whenever any such action is taken, a feeling of suspicion amongst the people concerned, and what we should avoid is that people should doubt the *bona fides* of the Executive Council. In the Court there are so many other interests that are represented, there are so many other responsible people who are there and I think that if the Executive Council have a strong case for the withdrawal of recognition of any college then the Court will not stand in their way. On the contrary, if such action is taken by the Executive Council and it is supported by the Court, it is likely to carry greater weight with the people concerned. Sir, I really do not see why the Government should oppose this amendment. It does not interfere with the knowledge that the Executive Council might acquire on account of the day-to-day administration of the University. The power is given to the Executive Council to withdraw recognition or grant recognition. All that is intended under this amendment is that that action of the Executive Council will be subject to confirmation by the Court. I have not yet heard any valid argument that has been advanced by the Government on this question. To my mind it is a very essential amendment, and I do hope that the Government will re-consider their position as I submit that it will not interfere in the slightest degree with the efficient administration of the University. Sir, I support the amendment that has been moved.

**Dr. Sir Zia Uddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Sir, the question of disaffiliation or withdrawal of recognition is exceedingly important and may I just read the provisions made in the Act of 1904 about the question of disaffiliation and see what they provided at that time. Section 24 of the Universities Act, 1904 runs thus:

"(1) A member of the Syndicate who intends to move that the rights conferred on any College by affiliation be withdrawn, in whole or in part, shall give notice of his motion, and shall state in writing the grounds on which the motion is made.

"(2) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (1) to the Head of the College concerned, together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the College will be considered by the Syndicate:

Provided that the period so specified may, if necessary, be extended by the Syndicate.

"(3) On receipt of the representation or on expiration of the period referred to in sub-section (2), the Syndicate, after considering the notice of motion, statement and representation and after such inspection by any competent person authorized by the Syndicate in this behalf, and such further inquiry as may appear to them to be necessary, shall make a report to the Senate (which really corresponds to the Court).

"(4) On receipt of the report under sub-section (3), the Senate shall, after such further inquiry (if any) as may appear to them to be necessary, record their opinion on the matter.

"(5) The Registrar shall submit the proposal and all proceedings of the Syndicate and Senate relating thereto to the Government, who, after such further inquiry (if any) as may appear to them to be necessary, shall make such order as the circumstances may, in their opinion, require.

"(6) Where by an order made under sub-section (5) the rights conferred by affiliation are withdrawn, in whole or in part, the grounds for such withdrawal shall be stated in the order."

So really we have got such elaborate provisions for disaffiliation or withdrawal of recognition—a report by the Syndicate, an enquiry by the Syndicate, report then to the Senate, an enquiry by the Senate, report then to the Government, an enquiry by the Government, and afterwards mention of these facts to the college concerned. But now the Government are playing with this question of withdrawal of recognition. It is a very serious matter. What you are providing is that the members of the Executive Council should sit together and come to a decision which should be final. It is not heard of in any University in India, or outside India. I am not concerned so much with recognition as I am with the withdrawal of recognition. The question of birth does not matter but the question of killing is very serious. You have just heard the procedure



which was provided for in the Act of 1904. It is a very elaborate machinery for deciding the question of disaffiliation or withdrawal of recognition. It is not done very easily and I think it is unfair to the colleges that the majority of the members in the Executive Council may take their decision and that that decision should be final. It is unheard of and I think that it is desirable that the Government should consider this question in the interest of giving security to the colleges. We are quite prepared to give security of tenure to the teachers. You should also give security of tenure to the colleges.

With these words, I support the motion.

**Mr. J. D. Tyson** (Secretary, Department of Education, Health and Lands): The procedure which it is sought to lay down for the withdrawal of recognition, which will be found in Clause 33 of Statute 3, is that the Executive Council may after due enquiry and after consultation with the Academic Council by a majority of the then members of the Executive Council withdraw recognition; and as was indicated by my friend, the Educational Adviser, there is a chance for appeal, if recognition is withdrawn, to the Central Government from the decision of the Executive Council. I must confess, I am at a loss to understand why there is this suspicion of the Executive Council as though it were a kind of instrument either of the Vice-Chancellor or of Government. Now assuming—I do not for a moment admit it—that the Vice-Chancellor and the Government acting together can command the votes of the University officials and the Government officials who are on the Executive Council, the Vice-Chancellor would command in that capacity, including his own vote, nine votes in the Executive Council as is envisaged under this Bill. As against that there would be 18 persons who are definitely elected in one way or another. I include in that 18 the six Principals of colleges, because it cannot for a moment be stated that they are the Vice-Chancellor's nominees or the Government's nominees. Then there are the Deans of the Faculties. It may be said that they are under the influence of the Vice-Chancellor, but the Deans of the Faculties are elected by the Faculties and not nominated by the Vice-Chancellor. Then we propose two Professors elected by the Professors and five members elected by the Court, two of whom are elected by the registered graduates. Then there are two others elected by the Academic Council. In other words, counting the Principals, there are 18 people who are not Government servants, unless the Professors happen to be Government servants as well—honorary professors—as against 9 who are tarred, shall I say, with the brush of being Government servants or servants of the University. I therefore fail to understand why there should be this suspicion of the Executive Council.

**Nawabzada Muhammad Liaquat Ali Khan:** Why do you suspect the Court?

**Mr. J. D. Tyson:** We suspect the Court because for a good long time past now it has been common knowledge that some of the colleges are not being properly run. One has been mentioned on the floor of this House by the Leader of a Party and yet that college is still going on: it is fairly safe to assume that that is so because if the matter were brought to the University under the Act as at present it could not be regarded as certain that the Court would do the right thing.

As the matter has been raised, Sir, and as it has been specifically stated that there is no precedent in any other university, I wish to quote two. I would say at once that comparisons with other universities are apt to be a bit tricky because the composition of the Executive Council or corresponding body is not the same in every university and I give this subject to that caution. But we have a precedent in Nagpur where Government takes recognition away on the recommendation of the Executive Council and in Agra where the Executive Council takes away recognition.

For these reasons, some of which had already been given on the amendment that was defeated yesterday, Government cannot accept the amendment.

**Mr. Muhammad Azhar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): My friend, Mr. Tyson, has been telling the House that why should there be or not be any suspicion. It is not a case of suspicion at all, but one of

[Mr. Muhammad Azhar Ali.]

following the right or the wrong procedure. When a procedure was once fixed, unless one can show that the procedure in the Act of 1904 was utterly useless, wrong, and could not be worked properly, it cannot be argued that that procedure should be set aside. Therefore, I submit; that unless my friend is prepared to argue that the procedure in the Act of 1904 is faulty, this reply of his is not enough to convince any reasonable man in the House. It is only fair that whenever there is to be an amendment about a procedure, be it civil or criminal or any other, Government and everyone else concerned with it, should explain, and explain very elaborately, why that procedure should not be followed. It is not sufficient to say that because a verdict has been given by the Executive Council therefore the House must endorse that decision. This is no argument but it is only meant to put off the House from the right track. I submit, Sir, that my friend on the other side should explain more fully to the House why the present procedure should not be followed.

**Maulvi Muhammad Abdul Ghani** (Tirhut Division: Muhammadan): Sir, it is provided in clause 38 of Statute 3 that the Executive Council may, after due enquiry and after consultation with the Academic Council, by a majority of all the then members of the Executive Council withdraw the recognition. Everything is in the hands of the Executive Council. The mere consultation of the Academic Council is no safeguard at all. It does not say that if the Academic Council is of the contrary opinion then recognition will not be withdrawn. Otherwise, it is quite useless to say "after due enquiry and after consultation with the Academic Council" because the ultimate action is going to be taken by the Executive Council independently. The interests of those who have spent a lot of money for the education of their youths are not safeguarded. They have not got their say in the Executive Council; 12 Noon. simply one kind of authority or persons have been allowed seats on the Executive Council. So, it is rightly desired by the learned Mover of the amendment that the safeguard should be in the hands of the wider body, say, the Court, and the lovers of democracy should not at all be afraid. It is Nazism and Fascism that always take a narrow scope . . . .

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): But who are the lovers of democracy?

**Maulvi Muhammad Abdul Ghani**: People who are here on the Treasury Benches.

**Dr. P. N. Banerjee**: Are they lovers of democracy?

**Maulvi Muhammad Abdul Ghani**: They are out to proclaim by beat of drum that they are democracy lovers.

**Dr. P. N. Banerjee**: Proclamation is one thing and practice another.

**Maulvi Muhammad Abdul Ghani**: However, we should go by what they say. So, it is a very dangerous thing to leave such matters as the withdrawal of recognition in the hands of the Executive Council. Perhaps certain professors, certain principals may be dissatisfied with the authority which runs a college. They may be in league with the Vice-Chancellor and the withdrawal can be easily had. Therefore, we should be very careful to provide adequate safeguard against the withdrawal of recognition and it is a very modest demand made in the amendment. I hope Government will reconsider their position and accept the amendment.

**An Honourable Member**: Let the question be now put.

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

"That the question be now put."

The motion was adopted.

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

"That in clause 7 of the Bill, to the proposed clause (ff) the words 'and subject to confirmation by the Court' be added at the end."

The Assembly divided :

AYES—25.

Abdul Ghani, Maulvi Muhammad  
 Abdullah, Mr. H. M.  
 Azhar Ali, Mr. Muhammad.  
 Banerjee, Dr. P. N.  
 Bhutto, Mr. Nabi Baksh Illahi Baksh.  
 Chattopadhyaya, Mr. Amarendra Nath.  
 Choudhury, Mr. Muhammad Hussain.  
 Essak Sait, Mr. H. A. Sathar H.  
 Ismail Khan, Hajee Chowdhury Muham-  
 mad.  
 Jehangir, Sir Cowasjee.  
 Lalchand Navalrai, Mr.  
 Liaquat Ali Khan, Nawabzada Muham-  
 mad.

Maitra, Pandit Lakshmi Kanta.  
 Mehta, Mr. Jamnadas M.  
 Murtuza Sahib Bahadur, Maulvi Syed.  
 Nairang, Syed Ghulam Bhik.  
 Nauman, Mr. Muhammad.  
 Neogy, Mr. K. C.  
 Parma Nand, Bhai.  
 Sant Singh, Sardar.  
 Siddique Ali Khan, Nawab.  
 Yamin Khan, Sir Muhammad.  
 Yusuf Abdoola Haroon, Seth.  
 Zafar Ali Khan, Maulana.  
 Zia Uddin Ahmad, Dr. Sir.

NOES—40.

Ahmad Nawaz Khan, Major Nawab Sir.  
 Aiyar, Mr. T. S. Sankara.  
 Ambedkar, The Honourable Dr. B. R.  
 Benthall, The Honourable Sir Edward.  
 Bewoor, Sir Gurunath.  
 Chapman-Mortimer, Mr. T.  
 Chatterji, Mr. S. C.  
 Daga, Seth Sunder Lall.  
 Dalal, Dr. Sir Ratanji Dinshaw.  
 Dalpat Singh, Sardar Bahadur Captain.  
 Ghiasuddin, Mr. M.  
 Gray, Mr. B. L.  
 Haidar, Khan Bahadur Shamsuddin.  
 Imam, Mr. Saiyid Haidar.  
 Ismaiel Alikhan, Kunwer Hajee.  
 James, Sir F. E.  
 Jawahar Singh, Sardar Bahadur Sardar  
 Sir.  
 Joshi, Mr. D. S.  
 Kamaluddin Ahmad, Shams-ul-Ulema.  
 Khare, The Honourable Dr. N. B.

Lawson, Mr. C. P.  
 Mackeown, Mr. J. A.  
 Maxwell, The Honourable Sir Reginald.  
 Miller, Mr. C. C.  
 Muazzam Sahib Bahadur, Mr. Muhammad.  
 Pai, Mr. A. V.  
 Piare Lall Kureel, Mr.  
 Raisman, The Honourable Sir Jeremy.  
 Ray, Mrs. Renuka.  
 Richardson, Sir Henry.  
 Roy, The Honourable Sir Asoka Kumar.  
 Sargent, Mr. J. P.  
 Shahban, Khan Bahadur Mian Ghulam  
 Kadir Muhammad.  
 Siva Raj, Rao Bahadur N.  
 Spear, Dr. T. G. P.  
 Spence, Sir George.  
 Sultan Ahmed, The Honourable Sir.  
 Thakur Singh, Major.  
 Trivedi, Mr. C. M.  
 Tyson, Mr. J. D.

The motions was negatived.

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

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8 was added to the Bill.

Clause 9 was added to the Bill.

**Syed Ghulam Bhik Nairang** (East Punjab: Muhammadan): Sir, I move :  
 "That clause 10 of the Bill be omitted and the subsequent clauses be renumbered accordingly."

Clause 10 of the Bill seeks to amend section 34 of the Act of 1922. It says :

"In section 34 of the said Act, for sub-section (1) the following sub-section shall be substituted, namely :

"(1) The Colleges shall be such as may, after the commencement of the Delhi University (Amendment) Act, 1943, be recognised by the Executive Council in accordance with this Act and the Statutes, but shall include all Colleges recognised at the commencement of the said Act as Colleges of the University so long as such recognition continues."

Sub-section (1) of section 34 which is sought to be replaced says: "The colleges shall be such as may be named in the statutes" and we find that in the schedule containing the statutes appended to this Bill the colleges are actually named. I invite attention to Statute 19 of the Schedule :

"Recognition of Colleges [Section 34 (1)] : The following colleges, namely, St. Stephen's College, Hindu College, Ramjas College, Anglo-Arabic College, Commercial College and Indraprastha Girls' College shall be recognised as Colleges of the University, teaching in such subjects as the Executive Council, on the recommendation of the Academic Council, may, from time to time, authorise them to teach.

So long as a direction made by the Central Government under the proviso to sub-section (2) of section 36 is in force, the Ramjas Intermediate College shall be recognised as a College of the University in respect of its Intermediate Classes and shall provide instruction up to the Intermediate Standard, and so on "

[Syed Ghulam Bhik Nairang.]

Now, Sir, as required by section 34, sub-section (1) of the present Act, the colleges have been actually mentioned in the statutes appended to the present Bill. What else remains to be done for which that sub-section should be replaced by the proposed sub-clause (1)? Unless the matter is clearly and lucidly explained by Government in a manner satisfactory to us, I think the replacement of the present sub-section by the proposed sub-section is not called for and therefore I move this amendment.

**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved: "That clause 10 of the Bill be omitted and the subsequent clauses be renumbered accordingly."

**Mr. J. D. Tyson:** We regard clause 10 of the Bill as consequential. It safeguards the existing colleges. It provides for the new procedure whereby recognition and also withdrawal shall be by the Executive Council. The colleges are safeguarded specifically by clause 10 and, as I say, we regard it as necessary and consequential.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is: "That clause 10 of the Bill be omitted and the subsequent clauses be renumbered accordingly."

The motion was negatived.

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

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

**Mr. Lalchand Navakul** (Sind: Non-Muhammadan Rural): Sir, I move:

"That clause 11 of the Bill be omitted and the subsequent clauses be re-numbered accordingly."

Sir, this relates to the method by which the three years degree course is being introduced into the Delhi University. I think on the subject I have said not only once but several times in this House that I do not agree with this three years course without making proper provision for the migration of students to be taken by the other Universities. This clause relates to section 36 of the Delhi University Act. What is provided in section 36 is already sufficient for even having this three years degree course. They can have the three years degree-course even if they retain the Intermediate examination. They are giving the so-called Intermediate class of theirs to the High Schools and with that object they are introducing a secondary class after one passes the Matriculation. To me it appears that they can give as much education as the students are now receiving up to the Intermediate class by adding one class there. But I think the great difficulty would be this that if they call the secondary class as equivalent to the Intermediate examination, I do not think the other Universities will accept it. Therefore, students who have passed the Intermediate examination from other Universities will have no difficulty in gaining admission in the colleges of the Delhi University, but the students who have passed the secondary class of the Delhi University will not be admitted in the third year class by the other Universities. These difficulties should be considered seriously. What we have understood from the other side, especially from Mr. Sargent, is that the other Universities will adopt the policy of give and take. But where is the guarantee for that? If we take their students in our University, where is the guarantee that they will take our students also when they have not passed the Intermediate Examination. Some correspondence may have taken place between the Government or Mr. Sargent and the other Universities as to the terms under which these mutual relations would be established. But we do not know up to this time what those terms are. What we have been told up to this time are only pious promises or hopes of pious promises from the other Universities as was said the other day. These questions should be settled first and only then an attempt should be made to introduce a matter like this.

I have already said that if they retain section 36, they can carry on with the three years course by manipulating it here and there and adjusting it

according to their needs. In that case the Intermediate examination will remain and there will not be much difficulty for the migration of students from other Universities to this University.

I need not take any more time of the House on this matter. It has already been threshed out fully in this House not only now but even when the matter was going to the Select Committee. What we have heard so far are only the hopes that the Delhi University will be able to adjust matters in such a way that there will be no difficulty. I think the difficulty has even now begun and many students are leaving this University. These complications will reduce the number of the students in the Delhi University. Those who will remain in the Delhi University will be those who are aspiring to some jobs after finishing their educational course either in the Delhi University itself or in some other offices in Delhi. I should think that the Government should not be adamant on this point and they should delete the new clause and keep the old one.

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

"That clause 11 of the Bill be omitted and the subsequent clauses be re-numbered accordingly."

**Mr. J. P. Sargent** (Government of India: Nominated Official): Sir, the House has been kind enough to listen to me patiently on two occasions explaining why, in our opinion, the introduction of the three years degree course in the University is a desirable thing and I do not propose to trespass further on their indulgence. I endeavoured when I spoke the other day to explain why I hoped that the University of Delhi would have no difficulty in obtaining the co-operation of other universities in reciprocal arrangements for facilitating the transfer of students both from Delhi to other Universities and from other Universities to Delhi. The reason, if I may remind the House, why I am perhaps optimistic—my friend Mr. Lalchand Navalrai would no doubt regard me as unduly optimistic—is that the idea of the three years course having been endorsed by all the Universities of the country, I think we have a right to appeal to them for their assistance in helping us to carry out an experiment which, at any rate, has met with their considerable approval.

**Sir Cowasjee Jehangir** (Bombay City: Non-Muhammadan Urban): Had any negotiations taken place?

**Mr. J. P. Sargent**: I was about to explain that point. Granted that the three years course is to be introduced, the amendments contained in this clause are necessary in order to regularise the position of the Delhi University. I think, as a matter of business, this is really the fundamental clause in the Bill concerning the three years course. I think the University felt, and felt rightly, that before they approached other Universities with regard to the question of reciprocal arrangements, they must first make the necessary alterations in their own Act and statutes which would regularise the introduction of three years course.

**Mr. Lalchand Navalrai**: Will that not be putting the cart before the horse?

**Mr. J. P. Sargent**: No, Sir. My own view is that it would be exactly the other way about. That is my opinion. Honourable Members will realise that all these things are necessary to regularise the new Higher Secondary Examination of Delhi. This examination is now a means of entry to the University degree course. At the present moment, the Intermediate Examination, which no longer exists in the Delhi University, is prescribed as a necessary condition of admission. The introduction of the words both in sub-section (2) of section 36 of the Act and in the proviso, first of all provides for the new Higher Secondary School Examination as a condition of admission and also covers the examination at the end of the preparatory course. The preparatory course which is at present in existence to facilitate the transition stage. Accordingly, if the three years course is accepted. I think the other things are necessary and logical consequences of its introduction.

**Nawabzada Muhammad Liaquat Ali Khan:** Will the Honourable Member please tell the House what has been done by the Board of Secondary Education and the University in this respect so far, and if any correspondence has passed between either the Government of India or the University on the one hand and the other Universities on the other hand, because that will, I think, facilitate discussion on this matter. The object of our giving notice of this motion was to find out all the facts and get full information regarding this question and if a full and frank statement is given it might remove that fear which is prevailing in the minds of the students who are seeking admission in this University.

**Mr. J. P. Sargent:** I hope I had made it clear that the University having altered this section in order to regularise the three years course so far as they themselves are concerned, will then be in a position to approach other Universities, to refer to this amended clause and to ask for their co-operation. The University felt, and I think quite correctly, that until they had put their own regulations in order, they would not be in a position to approach other Universities. But whether informal consultations have taken place or not, I cannot say. There has been no official correspondence.

**Mr. Lalchand Navalrai:** We live in hopes.

**Nawabzada Muhammad Liaquat Ali Khan:** I had put another question also regarding this Secondary Education Board. Have they done anything in this respect? Is that a statutory body?

**Mr. J. P. Sargent:** It is a body set up with the consent of the Government, but whether that makes it a statutory body or not, I do not know.

**Dr. Sir Zia Uddin Ahmad:** If I start a society with the consent of the Government, will it be a statutory body?

**Sir Cowasjee Jehangir:** May I ask whether the University authorities have considered the possibility of even one or two Universities refusing their request? What will then be the result to the students who want to join the Delhi University and who are merely here because their parents happen to be stationed in Delhi for one or two years and may have to go to another station afterwards. That is a question, I might say, that is being asked all over Delhi today by all people interested in education, and I do think that it is up to the Government to give a satisfactory answer to the public in this connection. Up to now, beyond merely stating that Government have indications from other Universities that they are likely to enter into reciprocal arrangements, they have said nothing. But when asked whether they have actually entered into negotiations already and whether these hopes are based on any discussions that have taken place, their reply was that no discussions have taken place. Will it not be that there is some risk to the Delhi University and to the large number of students who hope to join the University.

**Mr. J. P. Sargent:** In reply to that, I can only say what I have said before and that is that the Universities all over India have on two occasions approved this change without any reservation, excepting, as I said the other day, that the High School system would have to be reorganised. We are reorganising the High School system in Delhi. I therefore see no reason to look forward with pessimism to the reactions of other Universities to the proposal that they should fall in with the arrangements. If they do not, then the Delhi University will have to consider the situation which will then be created. According to all the facts that are available, I think it would be wrong to assume difficulties that are going to arise.

**Sir Cowasjee Jehangir:** Will that require new legislation?

**Mr. J. P. Sargent:** No, Sir. I do not think so.

**Sir Cowasjee Jehangir:** Is there anything in the Act whereby if you fail in your negotiations, you need not have fresh legislation?

**Mr. J. P. Sargent:** I could not answer that off-hand. The University will have to consider the situation and advise us.

**Nawabzada Muhammad Liaquat Ali Khan:** Sir, the reply that my Honourable friend the Educational Adviser has given to the questions which were put to him has proved conclusively that the demand that we, on this side of the

House, have been making for circulation of this Bill for eliciting public opinion was fully justified. It appears today that the University of Delhi or the Government of India who are rushing through this measure have not even as much as corresponded with any of the Universities in the country. My Honourable friend is relying on the decisions of some conference of some Universities that was held sometime ago whereby they are reported to have supported the idea of a three year course. May I tell him that it is not safe to depend on that kind of decision of any deliberative body. Before Government embarked on this venture they should have made sure that they would get the co-operation and support of all the other Universities in India. The object of this motion, I entirely agree with him, that if we accept the proposition of having a three years degree course, then this amendment in the Act is necessary, was to find out from the Government what concrete steps have either the University or the Government themselves taken in this direction. I cannot blame those students or those parents who are feeling nervous about this matter. Sir, as my Honourable friend Mr. Sargent pointed out on another occasion, it is indeed a question of building the house from the roof. It is not only a question of building the house from the roof to the foundation, but they have not even collected any material to fill up the foundation later on. Therefore I do submit that trying experiments like these without making preparations, without securing the goodwill of other Universities is a very risky venture. I suggest to the Government that if they have not so far taken any action in this matter, they might at least move now and do something and get the co-operation and goodwill of these other Universities. Sometimes they are too fast in their movements, at other times, they sit tight in their seats. Sir, this is really a matter which concerns the student community of Delhi very vitally and I am surprised that the University of Delhi or the Government should have embarked on a venture without making preparations for it. I submit, Sir, that it is we, who belong to this country and who have to live here, who will have to face the music. My Honourable friend who starts building the House from the roof may not be here to see it tumble down, but we will have to clear the debris and I refuse to be a party to clear the rubbish that may be left behind after trying these experiments.

**Dr. Sir Zia Uddin Ahmad:** Sir, I had some doubts as to the working of the three years' course, specially about the migration of students but the speech of the Educational Adviser at the consideration stage removed my doubts. But he has not yet told us as to the method he would propose in order to give effect to the proposal he laid before us on the last occasion. I thought he would like to have it enacted in the ordinances, but there is no indication. The second point is that the Higher Secondary Education Board not being a statutory body, it is very doubtful if the universities would recognise it because they only recognise an institution which is created by enactment or by statute; and therefore later on they might feel doubtful about recognising the examinations of this Board. Therefore this Board must have some statutory assent, otherwise it will not be recognised by all universities. Therefore I should like to have some assurance with regard to migration on the lines already mentioned by the Educational Adviser and also with regard to making the Secondary Education Board a statutory body.

**Mr. J. D. Tyson:** Sir, I will reply very briefly. We will certainly from the Government side do all that we can to help the university to make reciprocal arrangements. They will have to be made by the university but Government will certainly help them in any way they can. As to the second point about giving statutory basis to the Higher Secondary Education Board, we will examine the necessity of that.

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

"That clause 11 of the Bill be omitted and the subsequent clauses be re-numbered accordingly."

The motion was negatived.



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

"That clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill.

**Dr. Sir Zia Uddin Ahmad:** Sir, I move:

"That in clause 12 of the Bill, after the word 'Act' the brackets and letter '(a)' be inserted and the following be added at the end of the clause, namely:

'(b) in sub-section (4) after the words "Executive Council" the words "through the Academic Council" shall be inserted'."

This is important because the Vice-Chancellor awards degrees with the formula, "By the authority vested in me" etc. Now it is only the Academic Council which can vest the Vice-Chancellor with this authority by passing a Resolution to that effect. And if the Academic Council do not know the results of the examinations they are not in a position to make the proposal. Therefore the authority who tabulated and prepared the results should communicate them to the Executive Council through the Academic Council. It will not delay the publication of the results because that will be done as soon as the authority has prepared the results; it will be done as a matter of course after one or two months. But it is necessary for the results to be sent to the Academic Council so that they may by a Resolution authorise the Vice-Chancellor to award degrees. Sir, I move.

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

"That in clause 12 of the Bill, after the word 'Act' the brackets and letter '(a)' be inserted and the following be added at the end of the clause, namely:

'(b) in sub-section (4) after the words "Executive Council" the words "through the Academic Council" shall be inserted'."

**Mr. J. D. Tyson:** Sir, I am prepared to accept this amendment. The Mover has made it quite clear that he does not wish in any way to delay the publication of the results for which naturally the students and their teachers are very anxious. And this is a technical point on which I fully agree with him that the Academic Council should be associated with the communication of the results. As I said, we accept the amendment.

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

"That in clause 12 of the Bill, after the word 'Act' the brackets and letter '(a)' be inserted and the following be added at the end of the clause, namely:

'(b) in sub-section (4) after the words "Executive Council" the words "through the Academic Council" shall be inserted'."

The motion was adopted.

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

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clauses 13, 14 and 15 were added to the Bill.

**Syed Ghulam Bhik Nairang:** Sir, I move:

"That in clause 16 of the Bill, after sub-clause (vi) of clause (1) of Statute 2 in the proposed Schedule, the following sub-clause be inserted and subsequent sub-clauses be re-lettered accordingly:

'(vii) the Chairman of the Muslim Chamber of Commerce, Delhi'."

I think nothing in the nature of a long speech is needed to show the necessity of making a provision like this. We have got in the enumeration of persons who shall be members of the Court: the Chief Commissioner of Delhi; the Director General, Indian Medical Services; the Educational Adviser to the Government of India; the Director of Public Instruction, Punjab; the Superintendent of Education, Delhi; the Chairman of the Punjab Chamber of Commerce.

And we say that the Chairman of a body of the same nature existing in Delhi—the Muslim Chamber of Commerce—should also be a member of the Court. That is all that is demanded by this amendment, and I hope Government will not be reluctant to concede to the Muslim Chamber of Commerce the right to be represented on the Court.



Yesterday when I moved an amendment relating to the committee of selection to be constituted in connection with the selection of the Vice-Chancellor, I said something about what I expected was coming. We Muslims, fortunately or unfortunately, are not in the habit of mincing matters. We do not say like what an Honourable speaker in this House said yesterday in a most hesitating and halting manner that he saw what he considered a dream which he saw in day time while he was not asleep, and all that. He described as a dream what was an actual reality. We are not in the habit of mincing matters like that; we are realists. We do not like that speaker take realities for dreams and dreams for realities. We are given to calling a spade a spade, and therefore I stood on no ceremony and made no apology in discussing that motion in saying that I expected to be charged with what is conveniently called by certain people 'communalism', and after anticipating certain objections I tried to answer them. Today again I have to revert to a certain extent to the same topic in connection with this amendment. Sir, I do think that the addition of one member to the Court to represent the commercial interests of a vast community of India, a community which is entitled to call itself a nation and has for a long time declared itself to be a nation is necessary. The commercial interests of such a nation on the Court of the Delhi University will be only reasonable and there should be no objection to such a member being placed on the Court of the Delhi University of which, under the altered circumstances under the new law, it will be more or less an honorific distinction to be a member, because all the powers one by one are being snatched away from that body and vested in a smaller body, namely, the Executive Council. Therefore, if you can satisfy a nation by giving it one representative in the shape of the Chairman of the Muslim Chamber of Commerce on an ornamental body I think it should not displease any of my Honourable friends in this House much less the Government which is the guardian of the interests of all the nations inhabiting this sub-continent. I do not propose to dilate any further on this topic. Sir, I move.

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

"That in clause 16 of the Bill, after sub-clause (vi) of clause (1) of Statute 2 in the proposed Schedule, the following sub-clause be inserted and subsequent sub-clauses be re-lettered accordingly:

"(vii) the Chairman of the Muslim Chamber of Commerce, Delhi."

**Dr. P. N. Banerjee:** Sir, before speaking on this amendment, I should like to know whether this body—the Muslim Chamber of Commerce—is a purely commercial body, or not.

**Nawabzada Muhammad Liaquat Ali Khan:** It is purely commercial.

**Dr. P. N. Banerjee:** Will the Government give me an assurance that it is a purely commercial body?

**Mr. J. D. Tyson:** I do not know what is meant.

**Dr. P. N. Banerjee:** If it is a purely commercial body, I shall be very glad to support this amendment.

**Mr. J. D. Tyson:** This clause has come in company which makes it impossible for me to accept it. I am afraid. It is not a "Delhi" Chamber of Commerce in which case my attitude would probably have been very different, but as my friend the Mover has made quite clear that it is, to quote his own words, the National Muslim Chamber of Commerce, i.e., the Chamber of Commerce of the Muslim Nation, and I am bound to say that coming, as it does, along with all the other amendments of the same kind I must regard it as coming within the communal arena and, therefore, I am afraid, I cannot accept it.

**Dr. P. N. Banerjee:** If it is a commercial body I would support it.

**Syed Ghulam Bhik Nairang:** The words are clear—"the Chairman of the Muslim Chamber of Commerce, Delhi."

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muhammadian Rural): I would like to understand what is the meaning of the Chamber being a purely commercial body. The Chamber of Commerce is a Chamber of Commerce and there can be no objection to it. The objection is to the fact

[Mr. Jamnadas M. Mehta.]

that it is closed to non-Muslims, not that it is a Chamber of Commerce or Chamber of Politics.

**Dr. P. N. Banerjee:** Still it is a commercial body.

**Mr. Jamnadas M. Mehta:** Only confined to one community. It is very likely that even if Mr. Nairang had not moved this amendment the learned Doctor might have moved it. But there is no doubt about its meaning that it is confined only to one community, and that is the vital objection to its acceptance.

**Nawabzada Muhammad Liaquat Ali Khan:** I greatly regret the speech that has been made by the Honourable Secretary for Education opposing the motion which has been placed before this Honourable House. Before I deal with this question, let me say that I cannot congratulate him on the aspersion which he has cast on the members of the Court of the Delhi University. In his enthusiasm to get dictatorial powers for the Executive Council he forgot himself to the extent that he said that he looked upon the members of the Court of the Delhi University with suspicion. Sir, as is mentioned here, who are the members of the Court of the Delhi University? The Chief Commissioner of Delhi—does he suspect him? The Director General, I.M.S.—does he suspect him? The Educational Adviser to the Government of India—does he suspect him? The Superintendent of Education, Delhi, and Ajmer-Merwara, the Chairman of the Punjab Chamber of Commerce, the Chairman of Delhi Municipality, the Chairman of the Delhi District Board, the Senior officer serving in the P.W.D. under the Chief Commissioner of Delhi, the Senior Medical Officer, Delhi, the Principals of the Intermediate Colleges in Delhi which prepare candidates for admission to the University, the Warden, the number of graduates to be elected as members of the Court by the registered Graduates from among their own body shall be 25. Probably his suspicion is on these people because they happen to be non-official

**I.P.M.** Indians and they do not belong to that class to which my Honourable friend does.

Then, Sir, there is the number of teachers to be elected as members of the Court by the teachers other than Professors and Readers.

Then there is the number of persons to be elected as members of the Court by associations or other bodies approved in this behalf by the Chancellor. Probably he suspects that the Chancellor might recognise such associations which would be undesirable to send representatives to this august body.

Then there is the number of persons to be elected by the elected Members of the Council of State and the Legislative Assembly from among their own number. I do not know what to say. I would expect that my Honourable friend, as he is a Member of this Assembly, would have no suspicion against the Members of this House.

Then there is the number of persons to be appointed by the Chancellor.

Now, Sir, surely a Court which is constituted of such persons does not deserve that contempt which my honourable friend has shown for this body.

**Mr. J. D. Tyson:** I do not know whether I used the word suspicion.

**Nawabzada Muhammad Liaquat Ali Khan:** Yes, you did. I am surprised at the distinction which my Honourable friend is trying to make between these two words. Suspect is a verb and suspicion is the noun.

**Mr. J. D. Tyson:** I do not recall using either word.

**Nawabzada Muhammad Liaquat Ali Khan:** And then my Honourable friend said that because there is one particular college which has been behaving in a manner which is repugnant to the Honourable Member and as the Court has not taken any action against it, therefore he suspects that Court. May I know if the matter of taking any action against this college was ever placed before the Court? I stand to correction here. Then, I think that the Honourable Member was not justified in casting a serious aspersion on the members of the Court and the University of Delhi and treating the Court as if it were a body that consisted of irresponsible people who did not have the interest of the University at heart.

Now I come to the proposition which is before this Honourable House. I am most grateful to my Honourable friend, Mr. Chatterji, for his fairmindedness when he said yesterday that the case which we had put from this side of the House for adequate representation of Muslims in the various bodies of the University was a fair and just one. He only opposed it because he said that it would not look nice in the interest of the country that we should have such a thing in our legislation. Sir, what is the use of trying to conceal facts. Facts are what they are. Everybody knows that India is not a nation. It is a land of nationalities. What is the use of your not including it in the Act? It does not make the slightest difference as far as that goes. I cannot agree with him that we should bury our heads in the sand like an ostrich and declare that there is no storm. The storm is there. The facts are there.

Sir, my Honourable friend, Mr. Kailash Bihari Lall, who is not here, gave a long speech to the effect that he was waiting for that day (when it will dawn I do not know!) when questions such as this would not be considered necessary. My Honourable friend can afford to wait for that day because he happens to have all that he wants today. But I cannot afford to wait for that day. My Honourable friend suggested that he did not like a provision like this to be included in the Act but he was not opposed to it if it was devised in some other manner like the Instrument of Instructions. I do not know to whom he would send the Instrument of Instruction. Unfortunately, we get so much carried away by various phrases that we hear now and again that without understanding the significance and the meaning of that particular phrase, we begin to repeat it.

Sir, as was shown yesterday, the University of Delhi has been in existence for the last 20 years. The Mussalmans of Delhi have waited for 20 years to see that justice was done to them. I had given certain figures regarding the composition of the Executive Council, of the Court and of the Academic Council. Now, Sir, with your permission, as this is a matter which really affects the whole administration of the University, I would like to quote certain other figures and satisfy the Honourable Members of this House, who have got a fair and open mind, that what we are putting before this House is nothing but what is our due and is nothing but what justice demands:

	Muslims.	Non-Muslims.
Members of the Faculty of Arts . . . . .	4	21
Members of the Faculty of Science . . . . .	3	21
Members of the Faculty of Law . . . . .	2	12
Members of the Committees of Courses and Studies in the Faculty of Arts . . . . .	9	56

I am giving these figures to this House because all these Committees are formed either by the Court or the Executive Council, or the Academic Council and unless we can have adequate representation on these bodies, it is not possible for the Muslims to find representation on any of these Committees:

	Muslims.	Non-Muslims.
Members of the Committees of Courses and Studies in the Faculty of Science . . . . .	1	14
Members of the Committees of Courses and Studies for the Faculty of Law . . . . .	1	7
Board of Co-ordination . . . . .	Nil	5
Residence, Health and Discipline Board . . . . .	1	4
Finance Committee . . . . .	1	6
Committee of Selection . . . . .	2	14
Library Committee . . . . .	1	14
Admission Committee . . . . .	1	10

This, Sir, is the state of affairs in the University of Delhi, and I am really surprised that the Government should come forward and oppose a motion of this nature. It should have been the duty of this Government to have come forward when they were bringing this Bill to improve the position of Mussalmans in the University of Delhi. They do not only not do that but now

[Nawabzada Muhammad Liaquat Ali Khan.]

they are coming forward and trying to defeat what is our due with their official votes which they have at their disposal. Sir, it is not only the University of Delhi where the representation of Mussalmans is so inadequate. It is practically in every University. And I tell the Government that if they oppose this motion they will for ever be preventing the Mussalmans from getting any representation in any of the other universities. The Government of India are considered to be a Government which is not communal, and, Sir, whenever we would go before any of the Provincial Legislatures wanting better representation of the Mussalmans in the universities of those provinces this will be flung in our faces that the Government of India which is non-communal did not see that there was any justice in our claim. So, in other words, by adopting this attitude they are depriving the Mussalmans of India of an opportunity of getting their due share in the higher education of this country. This to my mind is a very serious question and the Government should consider very carefully before they adopt this attitude of coming in the way of securing justice for a particular community. I have got the figures of other universities also, and if I am challenged by any one I shall be compelled to take the time of the House by quoting them, but I do not want to do that. Every one knows that the position of the Mussalmans in practically every university is deplorable and I am surprised that the Honourable Member who is representing the Government as far as this Bill is concerned should come forward and oppose a motion of this nature. They should have come forward if they had any sense of justice, if they had any sense of decency—they should have come forward and supported us in this demand. But to come forward and say that they cannot accept it even when my Honourable friend, Dr. Banerjee, has accepted it,—I do not know what expression I should use to condemn this action of the Government. Mr. President, let me tell this Government that if you are cowardly, if you have not got the courage to see that justice is done to a particular community, then for God's sake do not stand in the way and do not take the responsibility of perpetration of that injustice to the Mussalmans of India. If you want to show that you are impartial in this matter, if you want to show that this is a matter for the Hindus and the Mussalmans to decide, then I would say, do not let your official votes be used on this occasion. Let this matter be decided by the non-official Members of this House. Let them take the responsibility of this action, but why do you want to soil your hands in this matter? I do not know whether my appeal would have any effect because it seems to me that the Government have lost all sense of justice and decency, but I would warn them again that by this stubborn, this unreasonable, this unjust attitude of theirs, they will be creating a bitterness among the Mussalmans. You should be there to help the Mussalmans and others who are weak to get their due share; you should not be there to stand in their way of achieving what is legitimately theirs.

**Mr. Lalchand Navarai:** I may assure the House that I had no intention to intervene in this debate. (Interruption.) I will say why I have risen to speak. I was reminded of the attitude of the Honourable Member who is piloting this Bill, towards the Court of the University and I thought I should not sit silent over it. It is an indignity to a body which is the first body of the University. To use any words like suspicion or suspected or say anything which is not graceful towards the University is a matter for great condemnation, and I am sure that Mr. Tyson who is known to be very courteous and who is doing things so very well, will come forward and offer an apology or express his sorrow at having used those words towards the Court of the University. On some motion before, I had said that I was a member of that Court, and I have seen there that officers of the University, I mean, those at the top, do not treat the members of the Court with that courtesy and that consideration which they should show. They treated the Court very lightly, and if Government here also joins them, it will give them an impetus to treat the Court even more

lightly. I need not say anything more on that. When the question of three years degree course had come before the university for consideration and was before the Executive Council, it was I who said that the Court, being the first authority, should be consulted first and not that the matter should be cooked up, as I would call it, in the Executive Council and then brought up before the Court for only nominal consideration. I put in a resolution and it was accepted by ballot, and yet it was not given any consideration. The proposal never came before the Court and the Court was slighted. Matters like this should be taken seriously by the Government and they should not say anything to belittle the powers or the authority or the privileges of the Court of the University.

**Bhai Parma Nand** (West Punjab Non-Muhammadan): How are the privileges of the Court relevant to the amendment under consideration?

**Mr. Lalchand Navalrai**: I am coming to the amendment. I will give my own independent view on it. So far as the amendment is concerned, I have seen that the Leader of our Party has given his own opinion. Rightly or wrongly whatever it be, he has given his own opinion. So I want to restrain myself from speaking on that amendment at all. I do not want to say anything which would injure either this Party or that Party. When the question of voting comes, my position would be known.

**Sir Cowasjee Jehangir**: It is always difficult to speak on a question which takes a communal turn in this Honourable House. But it is no use trying to close our eyes to the fact that to-day in India we have to face this problem. This amendment seeks to get a representative of the Muslim Chamber of Commerce on the Court of the Delhi University. This Court is constituted by the representatives of several bodies, as has been explained by the Deputy Leader of the Muslim League Party.

**Bhai Parma Nand**: But they are not communal.

**Sir Cowasjee Jehangir**: The objection that has been taken to the Chairman of the Muslim Chamber of Commerce being a member of the Court by statutory provision is that the Muslim Chamber of Commerce is a communal body. That is the objection taken by Government. I am sure Government are aware that the principle has long been established that communal institutions are recognised by Government and recognised in India. That is an established fact. Take this principle a little further, that no communal institution should be recognised or should be allowed to send a representative to a body which is non-communal. Take this main principle to its logical conclusion. That would mean that the Parsi Gymkhana, the Muslim Gymkhana, the Hindu Gymkhana and the European Gymkhana which are all communal institutions should have no representatives on an association which is non-communal but which deals with sport. Do you want to carry it as far as that? Then, surely, the Marwari Chamber of Commerce is recognised by Government. Their opinions are sought for as a chamber of commerce. It is a communal body. Do you mean to say that Government do not take or ask for the opinion of the Marwari Chamber of Commerce, because it is communal? Do you mean to say that the Marwari Chamber of Commerce has no representation on non-communal bodies? This is carrying a principle much too far. As long as communal bodies are recognised such as chambers of commerce, so long will you have to allow them to send representatives to industrial associations, sporting associations and academic associations of a non-communal character to represent their interests. That is done every day. Because this debate has taken a communal turn, you want to turn down a proposal which is eminently reasonable. You must separate this proposal from other amendments that may follow. If you turn down this amendment, you will negative a policy which Government has adopted for years past in this country. You may oppose the amendment on the ground that the Muslim Chamber of Commerce in Delhi is not representative. I can understand that opposition. Such an argument can be applied to any association but you cannot apply it on the ground of its being a communal association.

[Sir Cowasjee Jehangir.]

My point of view is this that the population of Delhi which this university serves is not purely Hindu nor is it purely Muslim but it has a larger proportion of Muslims than most parts of India. I understand that the population of Delhi is half Muslim and half Hindu and therefore any institution which has to serve the area of Delhi requires special consideration so far as the Muslims are concerned and on that ground alone, not on communal grounds, the Muslims should, I think, have their effective voice in an institution which has been built up, is being built up at the cost of the country. It is an institution which is to play a most important part in the lives of the future generations of this country. Therefore I would urge that in this particular case the House has reason to look with favour on any proposals which are brought forward for an adequate representation of a community which is playing an important part in the life of this part of India. It might have been that the Hindus were only 30 or 25 per cent. of the population of Delhi. They would still have a right to be represented on an educational institution as much as anybody else and if they had to put forward their claim for adequate representation, they should have had the support of the House. On these grounds alone I would ask this Honourable House to consider favourably proposals of this character, especially this amendment which is quite an ordinary proposition of having a communal institution send its representative to an institution which is non-communal in order to safeguard its own interests.

Commerce is very much interested in the education of this province. Commerce surely ought to have a voice in education. It is the commercial people who built up education. Who built up the University of Bombay if not the commercial people. Who helped the University of Calcutta if not the commercial people of that City. Surely a commercial body has a right to be represented on this Court, especially a body which represents about 50 per cent. of the whole population, and under those circumstances I would definitely separate this amendment from those that are to follow and support my friend Dr. Banerjea in the very wise and sane view he has taken that this amendment should be supported.

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

"That in clause 16 of the Bill, after sub-clause (vi) of clause (I) of Statute 2 in the proposed Schedule, the following sub-clause be inserted and subsequent sub-clauses be re-lettered accordingly:

'(vii) the Chairman of the Muslim Chamber of Commerce, Delhi'."

I think the Ayes have it.

(One or two Honourable Members cried 'Noes have it'.)

**Mr. President** (The Honourable Sir Abdur Rahim): Will those who are for 'Noes' rise in their places?

(No Honourable Member rose, but after a pause Mr. Jamnadas M. Mehta rose.)

**Mr. Jamnadas M. Mehta**: I am saying "No", Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Those who are for Ayes will now rise in their places.

(Many Honourable Members rose in their places.)

The motion was adopted.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Mr. K. C. Neogy (one of the Panel of Chairmen) in the Chair.

**Mr. H. A. Sathar H. Essak Sait** (West Coast and Nilgiris: Muhammadan): Sir, I move:

"That in clause 16 of the Bill, after sub-clause (v) of clause (I) of Statute 2 in the proposed Schedule, the following sub-clause be inserted and subsequent sub-clauses be re-lettered accordingly:

'(xi) the Sadars of the Majalise Anka constituted under Act XIII of 1943'."

Sir, as the House is aware, this Statute is dealing with the constitution of the Court. To the sub-clauses dealing with those who will be the members of this

Court, I want to add two Sadars, the Presidents of the two Majalise Aukaf which have been constituted under the Bill that was introduced by my Honourable friend Maulvi Muhammad Abdul Ghani which was passed into law by this House. I need not dilate on this. These two Presidents will have great interest in the matter of education because some of the Aukaf which are dealt with in that Act do control certain classes of educational institutions. I therefore propose that the responsible heads of the Aukaf, that is the two Presidents, should be members of this Court. Sir, I move.

**Mr. Chairman** (Mr. K. C. Neogy): Amendment moved:

"That in clause 16 of the Bill, after sub-clause (x) of clause (1) of Statute 2 in the proposed Schedule, the following sub-clause be inserted and subsequent sub-clauses be re-lettered accordingly:

'(zi) the Sadars of the Majalise Aukaf constituted under Act XIII of 1943'."

**Dr. P. N. Banerjee**: Sir, I rise to support this amendment, not on the ground of communal representation but on the ground of educational advancement. I am told that the funds of these two bodies, Majalise Aukaf, are applied mostly to educational purposes, and as such I think the two Presidents should have *ex-officio* seats on the Court of the Delhi University.

**Mr. J. D. Tyson**: Sir, on the basis on which this amendment has been moved and supported, I am willing to accept it.

**Nawabzada Muhammad Liaquat Ali Khan**: Sir, I greatly appreciate the support which my Honourable friend Dr. Banerjee has given to this amendment. I welcome the change in the attitude of the Government regarding amendments of this nature. I wish to assure my Honourable friend Dr. Banerjee that there is not a single amendment which has been suggested which is not directly connected with educational uplift. As has been pointed out, a good sum of money from the income of these Aukaf is spent for educational purposes and their presence on the Court will be for the advancement of University education in the Province of Delhi. I would, Sir, make one request to the Government that before they oppose any amendment, they should see whether the amendment suggested is reasonable or not. Here, I would like to point out that we have kept in view the academic character of the University and we have not suggested any amendment which would give representation to an interest on either the Court or the Executive Council which is not directly connected with the education of the Province of Delhi. Sir, I support the amendment which has been moved.

**Mr. Chairman** (Mr. K. C. Neogy): The question is:

"That in clause 16 of the Bill, after sub-clause (x) of clause (1) of Statute 2 in the proposed Schedule, the following sub-clause be inserted and subsequent sub-clauses be re-lettered accordingly:

'(zi) the Sadars of the Majalise Aukaf constituted under Act XIII of 1943'."

The motion was adopted.

**Syed Ghulam Bhik Nairang**: Sir, I move:

"That in clause 16 of the Bill, sub-clause (zi) of clause (1) of Statute 2 in the proposed Schedule be omitted'."

Sir, if you refer to sub-clause (zi) which I seek to amend by this amendment, we find that in the constitution of the Court "the Principals of the Intermediate Colleges in Delhi which prepare candidates for admission to the University" are contemplated to be Members of the Court. As a matter of fact, we find that there is no Intermediate College in the Province of Delhi. There was only one, the Ramjas College, which has so far been functioning as an Intermediate College. My information is that on the inauguration of this new scheme, it has got itself affiliated to the Allahabad University so that at present there is no Intermediate College and apparently none is in contemplation because the intermediate stage of education is to be done away with. We are going to have only the High School Examination and the three years degree course in the University. There is no Intermediate College provided for in the amending

[Syed Ghulam Bhik Nairang.]

law. Therefore, I think it is clear that the insertion of this sub-clause (xi) in the Statute was based on some misconception and it should be removed. Sir, I move.

**Mr. Chairman** (Mr. K. C. Neogy): Amendment moved:

"That in clause 16 of the Bill, sub-clause (xi) of clause (1) of Statute 2 in the proposed Schedule be omitted."

**Mr. J. D. Tyson**: Sir, I understand that the facts are as stated by my Honourable friend and that this Intermediate College is the only one to which this statute could have had any application and that it no longer exists in the University: I therefore accept the amendment.

**Dr. Sir Zia Uddin Ahmad**: Sir, the retention of this sub-clause is opposed to the principle of the Bill and if it is there people will begin to doubt whether we have introduced a three-year course or not. Therefore I think the amendment is desirable.

**Mr. Chairman** (Mr. K. C. Neogy): The question is:

"That in clause 16 of the Bill, sub-clause (xi) of clause (1) of Statute 2 in the proposed Schedule be omitted."

The motion was adopted

**Syed Ghulam Bhik Nairang**: Sir, I move:

"That in clause 16 of the Bill, to clause (2) of Statute 2 in the proposed Schedule, the following be added at the end:

'at least eight of whom shall be Muslims'."

According to the sub-clause as it stands the number of graduates to be elected to the Court by registered graduates from among their own number shall be 25 and I want by this amendment that eight of them should be Muslims. The reason is that we desire larger representation on the Court and if in the elections to that body by the registered graduates, eight seats are reserved for Muslims it will be only fair and reasonable. The details as to the composition of the Court have been given in connection with the debates on this Bill so often that I need not repeat them. At present Muslim representation on the Court is very meagre indeed, and out of a total membership of 123, as was pointed out, there are only 24 Muslims at present; and it may be very fairly contended that in a province like Delhi where the Muslim population is 50 per cent. of the total a larger representation is surely called for, not only on the population basis but also in view of advancing the cause of higher education among the Muslims. A larger number of Muslims should be given an opportunity to enter the Court of the University and thereby advance the cause of higher education among Muslims. I do not think I need dilate on the point any further. Sir, I move.

**Mr. Chairman** (Mr. K. C. Neogy): Amendment moved:

"That in clause 16 of the Bill, to clause (2) of Statute 2 in the proposed Schedule, the following be added at the end:

'at least eight of whom shall be Muslims'."

**Dr. P. N. Banerjee**: Sir, I rise to make the position of my Party clear on the question of communal representation. As I said in my speech the other day, our Party is not prepared to accept the question of communal representation on an educational institution like the Delhi University, and that will be our attitude towards all the amendments. Sir, I oppose this amendment.

**Mr. J. D. Tyson**: Sir, this amendment is quite specifically within the ambit of what I said yesterday when the very first amendment which seemed to have an aspect of communal representation was moved. I made the attitude of Government then plain. I do not for a moment suggest that the Muslims have not got some legitimate grievance against the university or



against some of the electing bodies in the university on account of the paucity of Muslims who have been returned by the elective bodies. I do not think they can have any complaint as regards the nominated element. But certainly the university has from that point of view made a poor show on the elected side. But I am not prepared to introduce this element into the present legislation. The House is very divided on the subject and I made clear yesterday that I could not accept amendments of that kind. Sir, I cannot accept this amendment.

**Nawabzada Muhammad Liaquat Ali Khan:** Sir, the Honourable Member has accepted the position that the representation of the Mussalmans is very meagre. As far as this particular constituency is concerned, there are 25 members who are elected by the registered graduates. I have got a calendar of the university with me here; there is only one Muslim who has been elected out of 25. It is all very well to say that they do not want the introduction of communalism in this Act; but may I ask Government what do they propose to do to secure effective and just representation of the Mussalmans in the various bodies of the university? If my Honourable friend had come forward with some other suggestion which would have secured to them their due share and an effective voice I could have understood his opposition to this proposal. It is recognised that the university or the elective bodies of the university have not treated the Mussalmans fairly in the past. What is it that Government are going to do to see that in future the Muslims are treated better? Nothing. That is not really a happy position for Government to adopt. We are not introducing any element in these bodies which is not directly connected with education. All that we demand is that out of the 25 that are to be elected by the registered graduates,—not by any body from outside,—seats should be reserved for the Mussalmans. And let me tell you that instead of creating any ill-feeling between the students of these two communities it would create greater harmony. At present there is a feeling among Muslim students and Muslim graduates that they are not given their due share; and if you accept this proposition it will bring about a better understanding between the students of the two communities. It may be communal in a certain sense; although I do not see any objection to there being communal representation. As has been suggested before, there is communal representation in every institution connected with every sphere of life in this country. Why are the Government so shy in recognising the claims of the Mussalmans? What is it that they propose to do to redress the injustices done to them? This is not enough for my Honourable friend to say that we recognize that the Mussalmans had not had their due share, but what is it that you are doing to secure them their due share? Nothing. Therefore, Sir, I submit that no valid argument has been advanced by the Government in opposition to this amendment.

As I stated earlier, Sir, this is a matter that really does not affect in principle the administration of the University. It cannot be contended that the Mussalmans who will go there will be unfit to take their proper part in the deliberations of these bodies. The only thing is that by reserving certain seats for them you provide against any combination which would purposely keep the Mussalmans out. Therefore, Sir, I submit that if the Government are not prepared to take the responsibility of securing adequate representation, they should at least leave it to the non-official Members of the House to decide and let them take the responsibility either one way or the other. If the Government had said, "No, your claims are not just" I could have understood their attitude in this respect. They recognize, they admit that our demand is just, that our grievance is justified, and yet they are proposing to oppose an amendment which would improve the position of Mussalmans in the various bodies of the University. Sir, I support this amendment which has been moved by my Honourable friend.

**Maulana Zafar Ali Khan** (East Central Punjab: Muhammadan): To the very lucid remarks made by my Honourable friend, Nawabzada Liaquat Ali

[Maulana Zafar Ali Khan.]

Khan, I would only add that in order to safeguard our effective representation in the governing bodies of the Delhi University, we do not want to introduce the element of separate electorates. Let there be joint electorates, but a number of seats should be reserved for the Mussalmans and this will not affect injuriously the interests of others.

We have seen that for the past 22 years that the Delhi University has existed, our position was precarious. The statistics placed before the House ought to have convinced you that nowhere in the University we have had any representation worth the name, much less effective. So, after these 22 years, when the question has come up of reforming this so-called 'model University' or 'All-India University', the Mussalmans, who in this province of Delhi claim a percentage of at least 45, have some claims, and you cannot ignore those claims. How are you to meet with their wishes and claim to be just, of which you are so proud? We have heard of British sense of justice and British sense of fair play, but the way in which our Honourable friend, Mr. Tyson, has shown his sense of justice has opened our eyes. And it was against his wish that Nawabzada Liaquat Ali Khan was so frank and outspoken, and I think he struck a right note at the right moment. Let the Government know that we Mussalmans are a very proud people and we have made up our mind to secure our rights. Whoever comes in the way will have to reckon with the Mussalmans. The very word 'Mussalman' is like the proverbial fly in the ointment so far as my Honourable friend Mr. Jamnadas Mehta is concerned. He should know that his name is Jamnadas and as such he is known to India and as such he is known to Delhi. Jamnadas means the slave of Jamna. Whereas we are the servants of Zam Zam, he is the slave of Jamna. That brings about a fundamental separation. He must admit that. Yesterday, while speaking on this very subject, I was telling him, his henchmen and those who are of his way of thinking that you Hindus, who talk so glibly of justice and fair play, have treated the Harijans for the past many thousand years like goods and chattels and you have not allowed them the right of entering a temple—the temple of learning as you call it. So we have made up our mind not only to protect our own interests but to protect the interests of other minorities like Harijans, Scheduled Classes and so on and when the time comes . . . . .

**Mr. Chairman** (Mr. K. C. Neogy): Order, order. That has nothing to do with this amendment. Perhaps the Honourable Member will confine his observations to the amendment before this House.

**Maulana Zafar Ali Khan:** All right, Sir. I lend my strong support to the amendment.

**Mr. Chairman** (Mr. K. C. Neogy): The question is:

"That in clause 16 of the Bill, to clause (2) of Statute 2 in the proposed Schedule, the following be added at the end:

'at least eight' of whom shall be Muslims'."

The Assembly divided:

AYES—21.

Abdul Ghani, Maulvi Muhammad.  
Abdullah, Mr. H. M.  
Azhar Ali, Mr. Muhammad.  
Bhutto, Mr. Nabi Baksh Illahi Baksh.  
Choudhury, Mr. Abdur Raahed.  
Choudhury, Mr. Muhammad Hussain.  
Kasak Sait, Mr. H. A. Sathar H.  
Ghiasuddin, Mr. M.  
Laljee, Mr. Hooseinbhooy A.  
Liaquat Ali Khan, Nawabzada Muham-  
mad.

Murtaza Sahib Bahadur, Maulvi Syed.  
Nairang, Syed Ghulam Bhik.  
Nauman, Mr. Muhammad.  
Piare Lal Kureel, Mr.  
Raza Ali, Sir Syed.  
Siddique Ali Khan, Nawab.  
Siva Raj, Rao Bahadur N.  
Yamin Khan, Sir Muhammad.  
Yusuf Abdoela, Haroon, S.B.  
Zafar Ali Khan, Maulana.  
Zia Uddin Ahmad, Dr. Sir.

Ahmad Nawaz Khan, Major Nawab Sir.  
 Aiyar, Mr. T. S. Sankara.  
 Ambedkar, The Honourable Dr. B. R.  
 Banerjee, Dr. P. N.  
 Benthall, The Honourable Sir Edward.  
 Bewoor, Sir Gurunath.  
 Chapman-Mortimer, Mr. T.  
 Chatterji, Mr. S. C.  
 Daga, Seth Sunder Lall.  
 Dalal, Dr. Sir Ratanji Dinshaw.  
 Dalpat Singh, Sardar Bahadur Captain.  
 Haidar, Khan Bahadur Shamsuddin.  
 Imam, Mr. Saiyid Haidar.  
 James, Sir F. E.  
 Jawahar Singh, Sardar Bahadur Sardar Sir.  
 Joshi, Mr. D. S.  
 Kailash Bihari Lall, Mr.  
 Khare, The Honourable Dr. N. B.  
 Lalchand Navalrai, Mr.  
 Lawson, Mr. C. P.

Mackeown, Mr. J. A.  
 Maitra, Pandit Lakshmi Kanta.  
 Maxwell, The Honourable Sir Reginald.  
 Mehta, Mr. Jamnadas M.  
 Miller, Mr. C. C.  
 Noon, The Honourable Malik Sir Feroz Khan.  
 Pai, Mr. A. V.  
 Raisman, The Honourable Sir Jeremy.  
 Ray, Mrs. Renuka.  
 Richardson, Sir Henry.  
 Roy, The Honourable Sir Asoka Kumar.  
 Sant Singh, Sardar.  
 Sargent, Mr. J. P.  
 Spear, Dr. T. G. P.  
 Spence, Sir George.  
 Sultan Ahmed, The Honourable Sir.  
 Thakur Singh, Major.  
 Trivedi, Mr. C. M.  
 Tyson, Mr. J. D.

The motion was negatived.

**Syed Ghulam Bhik Nairang:** Mr. Chairman, 1 move:

"That in clause 16 of the Bill, to clause (2) of Statute 2 in the proposed Schedule, the following be added at the end:

at least four of whom shall be Muslims."

You see, Sir, clause (3) to which the amendment relates, reads as follows:

"Section 18 (2). The number of teachers to be elected as members of the Court by the teachers other than Professors and Readers shall be ten."

It is out of these ten, Sir, that we want four at least to be Muslims. Now, Sir, I do not know if there will be any practical benefit flowing from making a long speech over an amendment of this kind because on most points that we have been urging during the course of the debate on this University Bill, we have found that we could have more usefully addressed ourselves to stones and walls. Arguments can have no effect. Facts and figures which speak for themselves are of no use. An appeal to the sense of fairness of the responsible Government Benches is futile, so much so that even the very worthy gentleman, our Honourable friend, Mr. Tyson, who is piloting the Bill in this House, does not, unless I am very much mistaken, appear to be a free agent. I have heard his speeches in connection with other Bills in this House. I have known his attitude in connection with other matters and on more than one occasion I have considered it my duty to say publicly on the floor of this House how fair and how alive to his duties he has proved himself. But I do not know what has happened to him. He is cutting the figure in connection with these debates of one, who convinced against his will, is of the same opinion still. I am glad he has not quoted his bible during the course of the debate today. Yesterday he gave me the impression that the Report of the Select Committee was his bible. When any question arose he quoted chapter and verse from his bible and silenced all arguments, or rather he silenced his own reason, because he had to submit to the inevitable—the recommendations of the Select Committee. All matters which had been adjudicated upon by the Select Committee were now *res judicata* as far as this House was concerned and as far as any other legislative authority was concerned. Under the circumstances I say that it is nothing but the voice of one crying in the wilderness to move any amendment like the one which I feel bound to move and have moved.

**Nawabzada Muhammad Liaquat Ali Khan:** . . . and shall go on moving.

**Syed Ghulam Bhik Nairang:** . . . and shall go on moving as long as the list is not exhausted. Is it again necessary to point out that it is a disgrace to an institution like the Delhi University to be the virtual monopoly of a particular community? Has not that been sufficiently brought out in the speeches which have preceded in the course of this debate, and if it has not been, then I can only say that it is wilful neglect of the duty which the Government

[Syed Ghulam Bhik Nairang.]

at any rate owes to the various elements in the population of the country over which this Government is somehow ruling—it is wilfully ignoring patent facts, and that alone can account for such obstinacy and such wrong-headedness as we find Government showing in the matter of this Bill. In the last amendment which has been negatived we wanted eight out of 25, that is to say, less than one third. In this we want four out of ten. Of course we could not propose a fraction in connection with 25, we could not say, give us  $8\frac{1}{3}$ , we said 8. We did not like to say 9 because that would have been more than one-third. We thought one-third would be quite enough, and we could in connection with some other amendment want a little more than one-third. I have said before and I repeat again that the population basis or the educational interests concerned or any other criterion can be easily applied, and those whose eyes are not blinded by prejudice can easily see that the Mussalmans have a perfectly just and fair case when they say that they must have more representation on that great body, the Court of the Delhi University. Out of the representatives to be elected by teachers to whom you are assigning 10 seats, four seats must be reserved for Muslims. Of course, we are not in this connection saying that those four shall be elected by the Muslim electors. That point we have not raised at all. The entire constituency will return ten persons of whom four shall be Muslims. That is the whole prayer. Sir, I move.

**Mr. Chairman** (Mr. K. C. Neogy): Amendment moved:

"That in clause 16 of the Bill, to clause (3) of Statute 2 in the proposed Schedule, the following be added at the end:

'at least four of whom shall be Muslims'."

**Maulvi Muhammad Abdul Ghani**: I fail to understand the point that communalism should not be introduced in an educational institution. What is this? Is this not communalism—to give seats for graduates and teachers separately when the professors are there, why teachers are given separate seats? Are the latter not graduates? Is it proper to give seats to various kinds of bodies, Chambers of Commerce; Municipal Board and District Boards? Are not these things communal things? Are not these things separate one from the other? The point is this. When it suits a particular group of persons, then it is all right. But when it pinches, it is given a communal colour. We do not say that non-graduates should be had, non-teachers should be had. We only say, Muslims having the same qualification, having been registered there and recognised teachers should have representation. We do not say people outside say in the streets of Delhi should be given seats. I am simply surprised to hear all these pleas, all these efforts to deprive the Muslims from being represented in the Delhi University. I may point out that about 50 per cent. Muslims reside in that area in which the University is located say within a radius of ten miles from the university seat. You are thus going to sacrifice the interests of about 50 per cent. of the population, so that they may not have any voice, under some plea or pretext. I do not think that is proper. In another amendment which is coming later on, we have this. There is no question of any educational qualification there.

**Mr. Chairman** (Mr. K. C. Neogy): The Honourable Member should not anticipate an amendment which is not before the House.

**Maulvi Muhammad Abdul Ghani**: It is not before the House, but it is in the amending Bill and such provision has been made in the amendment which is going to be passed by this House. Therefore, with your permission, I may refer to such sort of thing. When representation has been provided in this amending Bill to persons irrespective of educational qualifications, I fail to understand why objection should be put in the way of educationists simply because they happen to be Muslims and nothing else. It has been said that it is a temple of learning. I do not think so. It is a temple of certain vested interests. So, all these things should not be allowed to go on for a long time. The House should consider twice before coming to any contrary decision and I

hope that they will accept the very modest amendment proposed. My Honourable friend is afraid of asking representation on the population basis, that is 50 per cent., we have asked for 30 per cent. and even less than that. The representation which has been so far given does not come to even 2 per cent. for Mussalmans on the whole on different bodies of the University. With these few words I support the amendment.

**Mr. Kailash Bihari Lall** (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadian): I would not have stood up but for the fact that I want to help my Honourable friend, Maulvi Abdul Ghani. The very argument that he has placed before the House that it is only to keep out the educationists that such sort of amendments are being opposed by those who are opposing such amendments . . . . .

**Maulvi Muhammad Abdul Ghani:** I never said that.

**Mr. Kailash Bihari Lall:** In the same breath he says in the part of the country where this University is located the population is 50 per cent. So, if he has got the interest of 50 per cent. of the population, he should not have supported an amendment which seeks only a proportion of 4 to 10 which comes to about 30 per cent. but he should have sought 50 per cent. representation. (*An Honourable Member:* "He is generous.") I am afraid it is not the generosity of my friend but only a sort of attachment to something communal which gives him the pleasure. Had it been for the purpose of doing justice to the population, he should have asked for 50 per cent. (*Interruption.*) I am not here to distribute favours and patronage. It is by election that people will come there and if the population is 50 per cent., most of the educationists will also come from that population and as I told you about my dream yesterday it may come about that you will get more than 50 per cent., it may be 60 per cent. or even 70 per cent. Why should you stick only to 30 per cent. I stand to correct you. You should not stick to 30 per cent only by means of a statutory provision. Let the door be open and my dream in that way may come true and you come in 70 per cent. or even cent. per cent. I don't mind that. In the interest of justice of the very community whose cause you are fighting, I hope you will correct yourself, withdraw your support to this amendment and I would appeal to my friend the Mover to withdraw this amendment.

**Sir Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): It is really very amusing and very interesting to see that on every amendment which is proposed here we find new arguments and new theories advanced. Lectures are given that we were wrong in asking for less than we deserve. My friend Mr. Kailash Bihari Lall ought to have known that when we tabled this little demand we had taken him into consideration also. We knew that there will be lot of haggling. There will be people who will not be willing even to give one-third, when we can expect half. My friend's whole argument is that he is not supporting us because we have not asked for 5 out of 10 and we have confined our demand to only 4. If my friend reads the amendment he will see that we say that at least 4 should be Muslims and if people are so magnanimous as to give our community two more we shall not refuse it. But we had known that people will not be willing even to give us at least 4. That is why we left a margin of 2. Although on the population basis we are entitled to 5, we took into consideration the Christian population, the Sikh population and the Depressed Classes. We took into consideration other persons who come to this great city of ours. They have got a right of representation. We did not take into consideration only the big Hindu community. We took into consideration the other different interests that should not be left without representation. My friend Sardar Sant Singh will get up and ask for one seat. We were prepared to give him at least one out of the remainder. Therefore this little modest demand is not strictly according to our percentage. We have shown that we can be trusted to accommodate others. Although our legitimate demand ought to be 5, we are content with 4. My friend Mr. Kailash Bihari Lall says it might be 60 per cent. of the population. Of course there may come a time which we

[Sir Muhammad Yamin Khan.]

have not visualised yet when we will be allowed to get more than our share. That may come about after three or four centuries. There may come a time when we may find ourselves in that position but for the present we do not want more than 4.

As regards the sanctity of the temple of learning, I knew that there were many temples of learning which were closed to some person for a long time. At least one temple which for a long time fought against the entry of those who were not allowed was my own Lincoln's Inn. Even the House of Commons had no representation of women until the Suffragettes came to break the windows of the shops in England. It was considered that no woman had any right to get into the Parliament. I saw myself one day in London Suffragettes coming to the National Picture Gallery with hatchet in hand and breaking into pieces the beautiful picture of Venus.

**Mr. Chairman** (Mr. K. C. Neogy): The Honourable Member's personal reminiscences are very interesting but having regard to the slow progress that the House has made in regard to the consideration of the Bill, I appeal to Honourable Members not to repeat arguments of a general character either for the purpose of supporting, or opposing, any amendment.

**Nawabzada Muhammad Liaquat Ali Khan:** May I point out that the slow progress is due to the attitude of Government entirely?

**Sir Muhammad Yamin Khan:** We have so often listened to this temple of learning argument during the last two days that I was giving an example of places which have been opened after long exertions. When I saw the beautiful picture of Venus broken, I felt very sorry, because I was very fond of good pictures.

**Mr. M. Ghiasuddin** (Punjab: Landholders): Did you not do anything to protect your Venus?

**Sir Muhammad Yamin Khan:** The Honourable Member knows that against the fair sex we cannot do anything, and the British nation had to yield before that force when it came as a public opinion.

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

Sir, 30 or 40 years ago it was considered that the members of the fair sex should not find their place in the Houses of Parliament but now it is considered to be an honour to have lady members. Even in this House when a

4 P. M. lady member was brought here, we thought that it was a great honour to the House. The times have changed and will go on changing. We know that we may not win by mere votes because they are not free votes. All the votes are being commanded by one man and as the Government is constituted today, they command 40 votes. On our side, the decision is taken by the majority of votes, whereas on the other side it is the *Hukam* of one man, which everybody has to follow. I am sure that if free votes had been allowed by the Government, half of their Members would have voted with us today and the Government would not have found themselves in the majority. We have known, Sir, that temple after temple of learning has been opened to the people who were not admitted before. For instance, the Inns of Court allowed the lady members to come in and the *Harijans* were allowed to go into the temples in Madras. This bar which is being put against us will not remain for long and the sooner it is removed the better. We will persistently fight for our rights because we are perfectly convinced that we are not demanding anything which is wrong. We are not asking for a thing which we believe to be wrong. We think that we are fighting for the education of a big proportion of the population which is at present being neglected and which deserves a great impetus. We think that proper impetus can be given only by the representation of the people of that community on various bodies. That is why we have come here. The Government says that it represents all the interests therefore it is wrong for them to

come in the way of our achieving our rights which we think should be given to us. The Muslim education is very backward and the backwardness is visible by the fact that out of so many colleges in Delhi there is only one Muhammadan college. Its backwardness is also evident by the fact that out of so many registered graduates there are only a few graduates who belong to the Muslim nation. Therefore, we think that a greater impetus is required for the Muslim education and that can be done only when you show by your behaviour that you are not averse to their progress but that you want to help them in the prosecution of their education. Without this co-operation on the part of the Government we cannot achieve our object. We are convinced that our demand is right and we think that these people will become a great asset to the University. Their presence in the University will restore confidence in the minds of many people who, instead of sending their boys elsewhere, will send them to this University. They will remain here. It is for these reasons that I say that Government should either accept this amendment or at least show that they are not for stopping the aspirations of the Muslim community and remain neutral.

**Mr. N. M. Joshi** (Nominated Non-Official): Sir, I move:

"That the question be now put."

**Nawabzada Muhammad Liaquat Ali Khan**: Have not the Government got to say something on this?

**Mr. President** (The Honourable Sir Abdur Rahim): I will put the closure motion subject to Mr. Tyson stating the Government's attitude.

The question is:

"That the question be now put."

The Assembly divided:

#### AYES—39.

Ahmad Nawaz Khan, Major Nawab Sir.  
Aiyar, Mr. T. S. Sankara.  
Ambedkar, The Honourable Dr. B. B.  
Bentham, The Honourable Sir Edward.  
Bewoor, Sir Gurunath.  
Chapman-Mortimer, Mr. T.  
Chatterji, Mr. S. C.  
Daga, Seth Sunder Lall.  
Dalal, Dr. Sir Ratanji Dinshaw.  
Dalpat Singh, Sardar Bahadur Captain.  
Haider, Khan Bahadur Shamsuddin.  
Imam, Mr. Saiyid Haider.  
Ismail Alikhan, Kunwer Hajee.  
Jawahar Singh, Sardar Bahadur Sardar Sir.

Joshi, Mr. D. S.  
Joshi, Mr. N. M.  
Kamaluddin Ahmad, Shams-ul-Ulema.  
Khare, The Honourable Dr. N. B.  
Lawson, Mr. C. P.  
Mackeown, Mr. J. A.

Maxwell, The Honourable Sir Reginald.  
Mehta, Mr. Jamnadas M.  
Miller, Mr. C. C.  
Muazzam Sahib Bahadur, Mr. Muhammad.  
Mudaliar, The Honourable Dewan Bahadur Sir A. Ramaswami.  
Noon, The Honourable Malik Sir Feroz Khan.  
Pai, Mr. A. V.  
Raisman, The Honourable Sir Jeremy.  
Ray, Mrs. Renuka.  
Richardson, Sir Henry.  
Roy, The Honourable Sir Asoka Kumar.  
Sant Singh, Sardar.  
Sargent, Mr. J. P.  
Spear, Dr. T. G. P.  
Spence, Sir George.  
Sultan Ahmed, The Honourable Sir.  
Thakur Singh, Major.  
Trivedi, Mr. C. M.  
Tyson, Mr. J. D.

#### NOES—18.

Abdul Ghani, Maulvi Muhammad.  
Abdullah, Mr. H. M.  
Azhar Ali, Mr. Muhammad.  
Bhutto, Mr. Nabi Baksh Illahi Baksh.  
Choudhury, Mr. Abdur Rasheed.  
Choudhury, Mr. Muhammad Hussain.  
Essak Sait, Mr. H. A. Sathar H.  
Ghiasuddin, Mr. M.  
Liaquat Ali Khan, Nawabzada Muhammad.

Murtuza Sahib Bahadur, Maulvi Syed.  
Nairang, Syed Ghulam Bhik.  
Naumau, Mr. Muhammad.  
Raza Ali, Sir Syed.  
Siddique Ali Khan, Nawab.  
Yamin Khan, Sir Muhammad.  
Yusuf Abdoola Haroon, Seth.  
Zafar Ali Khan, Maulana.  
Zia Uddin Ahmad, Dr. Sir.

The motion was adopted.

**Syed Ghulam Bhik Nairang**: Sir, I rise to a point of order. The Honourable Member Mr. Tyson has not spoken in the course of the debate. Now, that the closure has been accepted, he cannot speak now.

**Mr. President** (The Honourable Sir Abdur Rahim): I have said that accepted closure subject to Mr. Tyson stating the Government case.



**Syed Ghulam Bhik Nairang:** Why did he not speak before the closure. If he speaks now, it would be disadvantageous to us. If we had known his position, we could have replied suitably.

**Mr. President** (The Honourable Sir Abdur Rahim): I understand there has been a sufficient debate.

**Mr. J. D. Tyson:** Sir, I have really got nothing to say. On the same lines as the previous amendment, I content myself by opposing this.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is: "That in clause 16 of the Bill, to clause (3) of Statute 2 in the proposed Schedule, the following be added at the end:

'at least four of whom shall be Muslims'."

The Assembly divided:

#### AYES—21.

Abdul Ghani, Maulvi Muhammad.  
Abdullah, Mr. H. M.  
Azhar Ali, Mr. Muhammad.  
Bhutto, Mr. Nabi Baksh Illahi Baksh.  
Choudhury, Mr. Abdur Raheed.  
Choudhury, Mr. Muhammad Hussain.  
Eseak Sait, Mr. H. A. Sathar H.  
Ghiasuddin, Mr. M.  
Liaquat Ali Khan, Nawabzada Muhammad.  
Murtaza Sahib Bahadur, Maulvi Syed.  
Nairang, Syed Ghulam Bhik.

Nauman, Mr. Muhammad.  
Piare Lall, Kureel, Mr.  
Raza Ali, Sir Syed.  
Shahban, Khan Bahadur Mian Ghulam Kadir Muhammad.  
Siddique Ali Khan, Nawab.  
Siva Raj, Rao Bahadur N.  
Yamin Khan, Sir Muhammad.  
Yusuf Abdoola Haroon, Seth.  
Zafar Ali Khan, Maulana.  
Zia Uddin Ahmad, Dr. Sir.

#### NOES—38.

Ahmad Nawaz Khan, Major Nawab Sir.  
Aiyar, Mr. T. S. Sankara.  
Ambedkar, The Honourable Dr. B. R.  
Banerjee, Dr. P. N.  
Bentham, The Honourable Sir Edward.  
Bewoor, Sir Gurunath.  
Chapman-Mortimer, Mr. T.  
Chatterji, Mr. S. C.  
Daga, Seth Sunder Lall.  
Dalal, Dr. Sir Ratanji Dinshaw.  
Dalpat Singh, Sardar Bahadur Captain.  
Haidar, Khan Bahadur Shamsuddin.  
Jawahar Singh, Sardar Bahadur Sardar Sir.  
Joshi, Mr. D. S.  
Kailash Bihari Lall, Mr.  
Kamaluddin Ahmad, Shams-ul-Ulema.  
Khare, The Honourable Dr. N. B.  
Lawson, Mr. C. P.  
Mackeown, Mr. J. A.  
Maitra, Pandit Lakshmi Kanta.

Maxwell, The Honourable Sir Reginald.  
Mehta, Mr. Jamnadas M.  
Miller, Mr. C. C.  
Mudaliar, The Honourable Dewan Bahadur Sir A. Ramaswami.  
Noon, The Honourable Malik Sir Feroz Khan.  
Pai, Mr. A. V.  
Raisman, The Honourable Sir Jeremy.  
Ray, Mrs. Renuka.  
Richardson, Sir Henry.  
Roy, The Honourable Sir Asoka Kumar.  
Sant Singh, Sardar.  
Sargent, Mr. J. P.  
Spear, Dr. T. G. P.  
Spence, Sir George.  
Sultan Ahmed, The Honourable Sir.  
Thakur Singh, Major.  
Trivedi, Mr. C. M.  
Tyson, Mr. J. D.

The motion was negatived.

**Syed Ghulam Bhik Nairang:** Sir, I move:

"That in clause 16 of the Bill, to clause (4) of Statute 2 in the proposed Schedule, the following be added at the end:

'at least three of whom shall be Muslims'."

Clause (4) says that the number of persons to be elected as members of the Court by Associations or other bodies approved in this behalf by the Chancellor shall not exceed eight, and it is out of this eight that we want at least three. Now, I do not know what arguments or facts and figures or appeals will move the stony hearts of the gentlemen who occupy the Official Benches. I am reminded of a well-known couplet of the great poet Amir Khusru:

"Bā kudāmt sikhru afsūn mikhshān sāzam turd  
Unchi mikhshād dil-e-man unchunān sāzam turd"

The poet expresses himself to be at a loss to find some charm or magic by which to induce his beloved to be kind to him and to make him what his heart wants him to be. We have really tried all devices of fair argument and methods



of appeal. Perhaps one method remains for us now and that is to go down on our knees and beseech these tin-gods to be good to us and to accede to our demands. Possibly driven to such extremes one might be impelled to resort even to that method, but of course obvious reasons stand in our way. First, we are Muslims and do not worship any but the one true God, and secondly, leaving alone the religious point of view, we have also to conform to certain principles of self-respect. Therefore we are at our wit's end. The position is perfectly clear and no lengthy argument on my part will either improve or impair it. The meaning of my amendment is clear. Sir, I move.

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

"That in clause 16 of the Bill, to clause (4) of Statute 2 in the proposed Schedule, the following be added at the end:

'at least three of whom shall be Muslims'."

**Maulana Zafar Ali Khan:** Sir, we have seen that however strong our arguments, however cogent our reasoning, it has no effect upon Mr. Tyson. And this reminds me of a couplet, to follow the example of my Honourable friend Syed Ghulam Bhik Nairang. The poet says:

*Yā Rab nah woh samjhe hain nah samjhe meri bāt,  
Dey aur dil unko jo nah dey mujh ko zabān aur.*

"Oh Lord! My sweetheart has made up her mind not to be convinced;

Vouchsafe her then another heart to comprehend me if Thou dost not grant me another tongue to give expression to my sentiments."

So my sweetheart has made up her mind not to be convinced, although I want to convince her in this great temple of learning and under this dome where we stand as the representatives of Mussalmans of India under the constitutional experiment of Communal Award made by the British Government. Sir Ramaswami Mudaliar is the representative of Hindus . . .

**Mr. Jamnadas M. Mehta:** He is an Indian.

**Maulana Zafar Ali Khan:** Dr. Ambedkar is the representative of Harijans; Dr. Khare is the representative of Maharashtra Hindus. Similarly, each one is the representative of a particular section. And all these sections are gathered here and they are living together in a spirit of goodwill and amity. So this is the great temple of learning; this is the great temple of justice; this is the great temple of fair play; this is the great temple of British sense of justice. But where has the sense gone? Has it gone to the poles, gone to Europe, gone to North Africa? Why doesn't it come to Delhi? Why doesn't it enter the soul of the Delhi University?

What do we want? I have told you that here in this Hall in this great temple of learning we stand as the representatives of the Mussalmans of India and the Mussalmans of India are ten crores in number just as Dr. Ambedkar and our friend, Rao Bahadur Siva Raj, are representatives of 8 crores of Harijans. That means 18 crores. And if we add thirty lakhs of Sikhs that will bring the number of 18 crores and thirty lakhs. And between us we can rule this country with justice and fair play, which has been denied by the Britishers . . .

**Sardar Sant Singh** (West Punjab: Sikh): Let us combine.

**Maulana Zafar Ali Khan:** Don't get worried. You will get a seat; we will get it for you. We are out to fight the battle of the righteous; we are out to fight the battle of the weak. We give protection to the weak; we give shelter to those who have no roof over their head.

So, Sir, when the Government has on the one hand given us communal award and wants us to go to the Councils in the name of the people—the Mussalmans vote for the Mussalmans and Hindus vote for the Hindus—how is it that this principle is denied here? How can you deny it? Do you want to take away with one hand that which you have given with the other? People twit us outside—those who have gone to the Jails as also other sections of so-called nationalists—with being the handmaids of British Imperialism, toadies of the Britishers. My Honourable friend, Mr. Jamnadas Mehta, would also tell me the same thing.

**Mr. Jamnadas M. Mehta:** Yes.

**Maulana Zafar Ali Khan:** That the League-wala is the factotum of British Government. But look how the Government treats us. They do not recognize their friends. They do recognize their enemies and can make up with them. But the friends they would spurn.

**Syed Ghulam Bhik Nairang:** They can neither recognize friends nor enemies.

**Maulana Zafar Ali Khan:** So they have lost all sense of recognition. This was left for you to remind me.

Therefore, Sir, I ask you in the name of justice, in the name of fair play . . .

**Sardar Sant Singh:** These qualities are in heaven, not in this world.

**Maulana Zafar Ali Khan:** . . . to give us representation as Mussalmans in the governance of the Delhi University to the extent of a few seats. Those few seats do not carry loaves and fishes. Those of course will go to Sir Maurice Gwyer who will get Rs. 2,000, or some other gentleman who will be appointed as the Vice Chancellor.

**An Honourable Member:** Do not mention names.

**Maulana Zafar Ali Khan:** Well, there will be somebody, not any of these four or five members of this body whom we want as against 10. Sir, my heart is overflung with indignation and the rankling sense of injustice, and therefore all I have to say is that I lend my strongest support to the amendment.

**Rao Bahadur N. Siva Raj** (Nominated Non-Official): Sir, I am in general agreement, as indeed I must be as representing the Scheduled Classes, with the feeling and the desire of our Muslim friends to increase the strength of their representation in the Court. But my difficulty, particularly with regard to this amendment, is as to how my friend the mover of the amendment, Mr. Nairang, seeks to secure that representation in this particular clause. So far as I can see, the bodies and the associations that are recognized under this clause are the Municipal Committee Delhi; the Bar Association, Delhi; Delhi Medical Association, Delhi; Hindustani Association, Board of Secondary Education, Delhi; and the Jamia Milia, Delhi. In the first place, the motion moved by my Honourable friend would seek to bind the hands of the Chancellor. He will not know as to which body or association he should allot these two members. In the second place, it also seeks to bind the Associations themselves much against their will so as to send Mussalmans from Associations where there may be only a few Muslims. In the third place, there may be Associations where there are no Muslims at all. Therefore, unless the amendment clears the position I personally feel it would be unworkable. I would like to know, therefore, what he suggests to remove this difficulty. Otherwise I am in general agreement.

**Nawabzada Muhammad Liaquat Ali Khan:** Sir, a very pertinent question has been asked by my Honourable friend, Rao Bahadur Siva Raj. As has been laid down here, there are to be 8 representatives of the Association that are to be recognized by the Chancellor. It is not laid down here in the Bill as to what those Associations will be, and when we put down this number three we had in mind the associations that should have been recognized if the interests of the Mussalmans had not been ignored completely in the past. They are the associations—I will give their names in a minute—that are engaged purely in the advancement of education in Delhi. One of them is recognized and that is Jamia Milia. There are two others that have no representation on this University, and I submit that some of the associations that have been recognized really do not deserve to be represented on the Court of the University. The two other associations that we have in mind are Anjuman Tarraqi-i-Urdu and the Anglo-Arabic College and Schools Society.

Now, let me tell you, as far as Anjuman-i-Tarraqi-i-Urdu is concerned, it is an All-India Association. It has got its headquarters at Delhi and it is a body that consists of Hindus and Mussalmans. The third association is an association which has been running, and is running, one degree college, four high schools,—one girls school and three boys schools. Now this association

has no representation on the Court of the University. So when we made the suggestion that three should be Mussalmans, we had in mind the recognition of these Associations which will represent the Mussalmans in the Court of the University.

**Dr. P. N. Banerjee:** And which of the two institutions would you remove from the list?

**Nawabzada Muhammad Liaquat Ali Khan:** There is the Mercantile association and there is the Municipal Board. It is already represented by the Chairman of the Municipal Board. Really, Sir, all kinds of interests are represented in this University who have no right to be represented on it, and the Mussalmans have been completely ignored in spite of the fact that there are associations in existence which have been doing nothing but advancing the cause of education in Delhi. I hope I have cleared the point raised by my Honourable friend, Mr. Siva Raj.

Let me assure him that wherever we have suggested an amendment it has been done purely with the idea of giving representation to those interests which are directly connected with education in the province of Delhi.

**Sir Cowasjee Jehangir:** Who appoints these Associations?

**Nawabzada Muhammad Liaquat Ali Khan:** It is the Chancellor who recognises them.

**Babu Kailash Behari Lall:** I do not rise to speak for or against the arguments advanced by my Honourable friends Rao Bahadur Siva Raj or Nawabzada Liaquat Ali Khan. They can be taken care of by the experts on the Government Benches. To me it seems that these arguments are devices to support the main pillar of the amendment. I think it is only for the love of communalism which is innate in these amendments that they have been put forward. My main purpose of standing up is to condone my friend Maulana Zafar Ali Khan, or rather to console him. He has been weeping over the whole situation. He has said having made a nation of us and given us communal recognition and the communal award, how does it lie on you, my sweetheart, that you now kick us in this way and leave us in the lurch. But I would ask my friend, Maulana Zafar Ali, to take a lesson from the Government side. He has said that they are all communal representatives there—Sir R. Mudaliar for the Hindus, Dr. Ambedkar for the Scheduled Castes and Sir Sultan Ahmad for the Muslims. But has it occurred to him that when they vote they are neither Hindus nor Muslims. They vote as the Government of India. Cannot you therefore take a lesson and see that you become the real people of India, the real nation of India and that what you represent is the real thing. I do not say that they will not err. If they do, I will be with you and tell them that you are not really representing the interests of the Indian nation and you do not deserve to be our sweetheart. That is the lesson you should learn from the sweetheart.

**Sir Syed Raza Ali** (Cities of the United Provinces: Muhammadan Urban): Sir, in supporting this amendment I would invite the attention of the elected Members of this House, and I have particularly in my mind my Hindu friends, to a very important aspect of the question. It was on the 1st October 1906 that a very representative deputation of the Muslim community waited on Lord Minto at Simla and presented an address in which the grievances of the Muslim community with reference to representation were set forth. Shortly after that, the question was: What is the actual demand of the Mussalmans? The Mussalmans no doubt wanted the representation of their own community. The important question was whether that representation which was to be conceded to the Muslims should be by reservation of seats or by setting up separate Muslim electorates. I do not want to go through the history of the whole question, but the two important aspects are: You could give representation to the Muslims by reserving seats for them, or you could set up Muslim electorates which would elect Muslim representatives.

I have been a careful student of what has been going on in our country. I believe today the position is this. So far as our Hindu friends are concerned, they have no objection to reservation of seats, but they have a strong objection

[Sir Syed Raza Ali.]

to the Muslims securing representation through Muslim electorates, which is known as separate representation through separate electorates. But in most of these amendments, of which notice has been given by my party be it noted by the Government Benches and my Hindu friends that generally, we have contented ourselves with securing Muslim representation through reservation of seats. That has been the outlying principle of the amendments tabled.

I for one should have thought that the line that we have taken up was one which would commend itself wholeheartedly to those patriotic Hindu friends who take objection to Muslim electorates because it leads to friction between community and community or nation and nation. This is one of those amendments which seeks to do no more than secure Muslim representation. May I ask what possible objection my elected Hindu Members can possibly have to that course? In this connection I listened carefully to the speech of my Honourable friend, Mr. Kailash Bihari Lall who spoke also on the last amendment. Well, the line generally taken up by a very small fraction of the Hindu community is this: Why content yourself with a number of seats? My answer is simply this. We are guided by history. What has been the history of elections in the various provinces? With the exception of the late Honourable Nawab Saiyid Muhammad who was returned to the late Imperial Legislative Council by a joint electorate in Madras—and it must be remembered he was an ex-President of the Indian National Congress—there is not a single Muslim who was returned from any of the provinces to the late Imperial Legislative Council during a period of 25 years. May I ask Mr. Kailash Bihari Lall how many Muslims have actually been elected by the registered graduates and returned to the Patna University Court?

**An Honourable Member:** Never more than one.

**Mr. Kailash Bihari Lall:** In the Patna University there is no spirit of communalism.

**Some Members on the Muslim League Benches:** Ah!

**Sir Syed Raza Ali:** If there is a reply I wait for a reply. But if there is no reply . . . . .

**Mr. Kailash Bihari Lall:** I have given a reply.

**Mr. Jamnadas M. Mehta:** What is the question?

**Sir Syed Raza Ali:** May I put the question to those Honourable Members who come from various other provinces, without repeating the same? This is the position. This is an amendment that should commend itself to every patriotic Indian, whether he is a Hindu or whether he is a Muslim. You have no objection to reservation. That is your offer to the Muslim League. You strongly object to the two-nation theory. You strongly object to Pakistan and you say that we should be content with reservation of seats. Here we are asking for reservation of seats and yet you deny that to us. Is that justice? I do not think I need address any word of appeal to the Government Benches because I am afraid their minds have been made up.

**Mr. J. D. Tyson:** I should be sorry if in the eyes of my Honourable friend, Syed Ghulam Bhik Nairang, whose good opinion I greatly value, I have fallen from grace. (Interruption.) I understand that I have only just fallen from grace.

**An Honourable Member:** Only temporarily.

**Mr. J. D. Tyson:** A large part of his last speech and the greater part of his previous one were devoted to me personally. If it were not that I do not wish to run the risk of putting Honourable Members opposite on their mettle, I should be tempted to refer to an old saying which points to the inference to be drawn when the lawyer on one side attacks, albeit very courteously, the spokesman of the opposite party. This amendment is exactly in line

5 P.M.  
with the previous ones and I very much regret that neither to the courteous attack of Syed Ghulam Bhik Nairang nor to the blandishments of Maulana Zafar Ali Khan can I yield.

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

"That in clause 16 of the Bill, to clause (4) of Statute 2 in the proposed Schedule, the following be added at the end :

'at least three of whom shall be Muslims'."

The Assembly divided :

#### AYES—21.

Abdul Ghani, Maulvi Muhammad.  
Abdullah, Mr. H. M.  
Azhar Ali, Mr. Muhammad.  
Bhutto, Mr. Nabi Baksh Illahi Baksh.  
Choudhury, Mr. Abdur Rasheed.  
Choudhury, Mr. Muhammad Hussain.  
Essak Sait, Mr. H. A. Sathar H.  
Ghiasuddin, Mr. M.  
Kamaluddin Ahmad, Shams-ul-Ulema.  
Lalljee, Mr. Hooseinbhoy A.  
Liaquat Ali Khan, Nawabzada Muham-  
mad.

Murtuza Sahib Bahadur, Maulvi Syed.  
Nairang, Syed Ghulam Bhik.  
Nauman, Mr. Muhammad.  
Raza Ali, Sir Syed.  
Shahban, Khan Bahadur Mian Ghulam  
Kadir Muhammad.  
Siddique Ali Khan, Nawab.  
Umar Aly Shah, Mr.  
Yamin Khan, Sir Muhammad.  
Zafar Ali Khan, Maulana.  
Zia Uddin Ahmad, Dr. Sir.

#### NOES—38.

Ahmad Nawaz Khan, Major Nawab Sir.  
Aiyar, Mr. T. S. Sankara.  
Ambedkar, The Honourable Dr. B. R.  
Banerjee, Dr. P. N.  
Benthall, The Honourable Sir Edward.  
Bewoor, Sir Gurunath.  
Chapman-Mortimer, Mr. T.  
Chatterji, Mr. S. C.  
Daga, Seth Sunder Lal.  
Dalal, Dr. Sir Ratanji Dinshaw.  
Dalpat Singh, Sardar Bahadur Captain.  
Haider, Khan Bahadur Shamsuddin.  
Imam, Mr. Saiyid Haider.  
James, Sir F. E.  
Jawahar Singh, Sardar Bahadur Sardar  
Sir.  
Joshi, Mr. D. S.  
Kailash Bihari Lal, Mr.  
Khare, The Honourable Dr. N. B.  
Lawson, Mr. C. P.  
Mackeown, Mr. J. A.

Maitra, Pandit Lakshmi Kanta.  
Maxwell, The Honourable Sir Reginald.  
Mehta, Mr. Jammadas M.  
Miller, Mr. C. C.  
Mudaliar, The Honourable Dewan Baha-  
dur Sir A. Ramaswami.  
Noon, The Honourable Malik Sir Feroz  
Khan.  
Pai, Mr. A. V.  
Raisman, The Honourable Sir Jeremy.  
Richardson, Sir Henry.  
Roy, The Honourable Sir Asoka Kumar.  
Sant Singh, Sardar.  
Sargent, Mr. J. P.  
Spear, Dr. T. G. P.  
Spence, Sir George.  
Sultan Ahmed, The Honourable Sir.  
Thakur Singh, Major.  
Trivedi, Mr. C. M.  
Tyson, Mr. J. D.

The motion was negatived.

**Sir Henry Richardson** (Nominated Non-Official): Before you rise, I have a request to make. As I understand the position, any business left over from today is to be taken on Monday. We understood that Monday and Tuesday were the days which would be devoted to the food debate. Therefore, the food debate will have to suffer if the time is occupied by the rest of the business left over from today. We in this Group say that the food debate has become not only urgent but immediate and nothing less than two days should be devoted to it. Unless, therefore, the Leader of the House can give us some statement of assurance now that the food debate will take place on Monday and Tuesday and that two full days will be devoted to it, we request you to ask the House to sit tomorrow, which we are prepared to do and we are prepared also for a night sitting if necessary.

**Mr. Hooseinbhoy A. Lalljee** (Bombay Central Division: Muhammadan Rural): I entirely agree with the suggestion made by Sir Henry Richardson as also about the food debate. I wish to say that this special Session was allotted to us after I had moved my motion in that respect, for the purpose of considering the war situation and the food situation and such circumstances as arise out of the war. We asked for it and we got it. Last year we had no Session in July. The legislative business that has been brought in may be considered but I think the war situation and the food situation and such things as arise out of the war should certainly get primary and full consideration and

[Mr. Hooseinbhoj A. Lalljee.]

these must therefore be taken into consideration in this special Session which I repeat has been specially summoned for that object.

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): We are of opinion that precedence should be given to the food situation, which, as my Honourable friend has said, is not only urgent but immediate and not less than two days should be given to that. As regards the other matters, I am in the hands of the other Parties and the Leader of the House.

**Nawabzada Muhammad Liaquat Ali Khan** (Rohilkund and Kumaon Divisions: Muhammadan Rural): As regards the question of the food debate, I support the proposal that has been made by my Honourable friend the Leader of the European Group. We are definitely of opinion that the food debate should take place at the earliest moment and that two full days at least should be allotted for this purpose. As regards the suggestion of my friend for sitting tomorrow, I am afraid some of our members have already made commitments and as the Delhi University Bill is a Bill which concerns the Mussalmans vitally, I hope that it will not be insisted that the House should sit tomorrow. As regards having a night session, I am prepared to have a whole night session.

**The Honourable Sir Sultan Ahmed** (Leader of the House): Sir Henry Richardson wants a day sitting tomorrow and he is also prepared for nocturnal transaction of business but so far as we are concerned, we are entirely in the hands of the House. We are prepared to come tomorrow and day after tomorrow but one thing is certain. We do not want to go beyond Thursday next week. We made it perfectly clear to the House when the Session was extended that two days will be given to the food discussion, provided we can go through the legislative business. I think the position was made perfectly clear to the House and on that assurance I stand. If the legislative business is finished early on Monday, we will have a day and a half. (*An Honourable Member*: "That cannot be.") If that is so, I am afraid we can do nothing at present.

**Dr. P. N. Banerjee**: The food question is most important.

**The Honourable Sir Sultan Ahmed**: It is certainly very important. We fully realise it. There is absolutely no doubt about it and it is because of that we extended the Session. It is because of that we wanted to have a full discussion. The Food Member is very anxious to listen to the views of the Members of this House and he is also anxious to give a full story about the food position. The difficulty is this. If the legislative business is not finished, I do not see how we can manage to have two days for the discussion of food. Under these circumstances I would respectfully suggest to the House not to sit tomorrow and see if we cannot come to some arrangement on Monday by which the legislative business may be finished as early as possible. We are as equally anxious as the other Members of the House to have a full discussion on the food question. The whole country is looking forward to the discussion in this House. We cannot, however extend the Session further. We have been here for a long time and we have given four days extra, so that all these questions may be discussed. The legislative business has to be gone through and we cannot agree that the rest of the business should be shelved.

**Mr. President** (The Honourable Sir Abdur Rahim): I take it that it is not the desire of the House to sit tomorrow.

(*Voices*: "No".)

There is no general desire to sit tomorrow. The present arrangement will stand.

The Assembly then adjourned till Eleven of the Clock on Monday, the 9th August, 1948.