

THE
LEGISLATIVE ASSEMBLY DEBATES
Official Report

Volume III, 1947

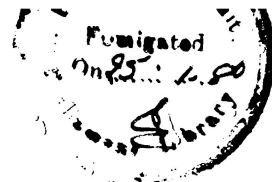
(10th March, 1947 to 24th March, 1947)

THIRD SESSION
OF THE
LEGISLATIVE ASSEMBLY
1947



A. B.

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LEGISLATIVE ASSEMBLY

President :

The Honourable Mr. G. V. MAVALANKAR.

Deputy President :

Khan MOHAMMAD YAMIN KHAN, M.L.A.

Panel of Chairmen :

Syed GHULAM BHIK NAIRANG, M.L.A.

Mr. P. J. GRIFFITHS, M.L.A.

Sardar MANGAL SINGH, M.L.A.

Shrinati AMMU SWAMINADHAN, M.L.A.

Secretary :

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

Assistants of the Secretary :

Mr. A. J. M. ATKINSON.

Mr. HASAN MOHAMMAD KHAN.

Mr. N. C. NANDI.

Marshal :

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

Committee on Petitions :

Khan MOHAMMAD YAMIN KHAN, M.L.A. (*Chairman*).

Syed GHULAM BHIK NAIRANG, M.L.A.

Shri Sri PRAKASA, M.L.A.

Mr. C. P. LAWSON, M.L.A.

Sardar MANGAL SINGH, M.L.A.

CORRIGENDA

to

Index to Legislative Assembly Debates, Volumes I to V, 1947

(3rd February, 1947 to 12th April, 1947)

- Page 11, transfer line 9 above line 6.
- Page 13, omit line 12 from bottom and transfer line 11 from bottom after line 32 from top.
- Page 17, omit line 6 from bottom.
- Page 19, insert "Reserve Bank of India (Second Amendment) Bill. 3092, 3095-96, 3099, 3104." above line 20 from bottom.
- Page 27, insert "Publicity by certain newspapers of the recommendations of the Select Committee on — before the presentation of the report. 1538-39." over line 2 from bottom.
- Page 29, omit existing line 9 and in existing line 25 for "BISCUIT(S)—" read "BIRD(S)—".
- Page 36, omit lines 7 and 8.
- Page 42, after line 16, insert "CIVIL SUPPLIES—".
- Page 43, for line 2 under "COACH(ES)—", read "Air conditioned — on G.I.P., B.B. & C.I., M. & S.M. Railways. 2905-06."
- Page 46, above line 4 from bottom, insert "Terms of reference of Armed Forces Nationalisation Committee. 2940."
- Page 51, under "COTTON—", in line 3, for "907-07" read "906-07".
- Page 58, above line 12 from bottom, insert "Capital Outlay on Civil Aviation. 1966."
- Page 60, for existing line 5, read "Functions of the Commodities Prices Board and matters connected therewith. 1626-42."
- Page 62, under "DEMONETIZATION—", for "2399" read "2390".
- Page 65, last line, for the illegible figure read "3140".
- Page 78, under "FORCES—" after line 3, insert "See also 'Army(ies)'".
- Page 80, in line 3, for "Allied" read "Armed".
- Page 84.—(i) omit line 2;
(ii) above line 32 from bottom insert "Consideration of Clauses. 510, 528, 945."; and
(iii) omit line 30 from bottom.
- Page 86, under "GOVERNMENT SERVANTS—" after line 4, insert "See also 'Employee(s)'" and omit line 6 from bottom.
- Page 100, under "HOUSING—" in line 2, after "re-housing" insert "scheme".
- Page 103, in line 9, for "1958-69" read "1968-69".
- Page 107, for line 28 from bottom, read "INDUSTRIAL DISPUTES BILL—"; and omit line 24 from bottom.
- Page 110, above line 11 from bottom, insert "Motion re—".
- Page 122, at the end of last line, read "Simla. 3068-69."
- Page 123, omit line 3 from top.
- Page 127, under "LANGUAGE—" after line 3, insert "order in addressing the House in a vernacular and ruling by Mr. President that an Honour-".
- Page 134, omit line 5 from bottom and in last line, for "890-92" read "990-92".
- Page 138.—(i) under "MANUFACTURE—" in lines 13 and 14, for "dry-stuffs" read "dyestuffs";
(ii) under "MANU SUREDAR, MR.—" omit line 4, and in line 5, insert "2753 59" before existing page numbers.
- Page 140, in line 35 from bottom, for "drystuffs" read "dyestuffs".
- Page 144, under "MATTHAI, THE HONOURABLE DR. JOHN—" after line 3, insert "Construction of new lines. 1950."

- Page 149, under "MOMBASA—" for the illegible figure read "96".
- Page 153, under "MUTINY—" after existing figures read "763-64".
- Page 154, for existing line 10 from bottom read "Recommendations of the Armed Forces Nationalisation Committee. 1758." and omit line 8 from bottom.
- Page 156, under "NAVY, ROYAL INDIAN—" in line 7, for "the Committee" read "the report of the Committee".
- Page 161, below last line, insert "See also 'Factory(ies)'"
- Page 162, for existing line 16, read "ODDH AND TIRHUT RAILWAY—" and omit lines 1 and 2 at top of the page.
- Page 169, under "PIPERADIH COLLIERY—" for "3389" read "3388".
- Page 172, omit line 7 and transfer the next line after line 1 under "POSTAL EMPLOYEE(S)—".
- Page 173, under "PRESS(ES)—" omit line 1.
- Page 180, for line 7 from bottom, read "Increase of — fares below Re. 1. 1228-29."
- Page 184, in line 10, the missing figure is "1097".
- Page 191, in line 18, for "2920" read "2926".
- Page 199, omit last line.
- Page 204, omit line 3 from bottom.
- Page 205, for existing line 3 from bottom, read "strike. 19-20."
- Page 206, at the end of last line, insert "Provinces. 169-70."
- Page 214, for existing line 18 from bottom read "SKELTON—".
- Page 220, at the end of line 9 from bottom, insert "1313-14".
- Page 223, in line 21 from bottom, for "strike as" read "strikers at".
- Page 224, under "SUGAR—" insert "Question re—" as first line.
- Page 226, under "SUNHEMP—" for "1608. 07" read "1606-07".
- Page 232, in last line, for "89" read "88".
- Page 251, line 19 from bottom, for "3396" read "3395".
- Page 252, after line 7, insert "Motion re—" ₁

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LEGISLATIVE ASSEMBLY

Monday, 17th March 1947

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

MEMBER SWORN :

Mr. H. G. Russell, O.B.E., M.L.A. (Government of India: Nominated Official):

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS

TUITION FEES IN SCHOOLS IN NEW DELHI ON INCOME-TAX BASIS.

†889. *Mr. Sasanka Sekhar Sanyal: Will the Honourable Member for Education be pleased to state:

(a) whether Government are aware that in New Delhi guardians of school students are required to disclose their income (on income-tax basis), while filling up forms at the time of admission of their children or wards into schools;

(b) whether Government are aware that tuition fees are assessed according to the level of income of the guardians; and

(c) the reasons therefor, and whether Government propose to consider the question of revising this practice?

آنریبل مولانا ابوالکلام آزاد : (اے) ہاں

(بی) ہاں

(سی) یہ پنجاب ایجوکیشن کوڈ کا قاعدہ ہے کہ جو دہلی پر لگایا گیا۔ گورنمنٹ

آف انڈیا آجکل اس بات پر سوچ بچار کر رہی ہے کہ دہلی کے لئے ایک نیا کوڈ تیار کرے نیا کوڈ تیار کرتے ہوئے اس معاملہ پر بھی نظر ڈالی

جائیگی۔

The Honourable Maulana Abul Kalam Azad: (a) Yes.

(b) Yes.

(c) It is in accordance with the provisions of the existing Punjab Education Code which applies to Delhi. The question of preparation of a new code is under active consideration of the Government of India; the position will be reviewed in that connection.

مسٹر سسکا سیکھر سنیاں : سرکار کے اس خیال سے پڑھنے والے لوگوں کے دلوں

میں الگ الگ حصہ پیدا ہوتا ہے۔

Mr. Sasanka Sekhar Sanyal: Does this not create an idea of discrimination?

† This question was postponed from the 12th March, 1947, and given precedence over all questions of the day.

آنریبل مولانا ابوالکلام آزاد : ایسا خیال نہیں ہوتا ہے لیکن جیسا کہ میں ابھی
آنریبل ممبر کی توجہ دلا چکا ہوں کہ نیا کوڈ تیار کر دیا ہے اور اسکا خیال کیا جائیگا۔

The Honourable Maulana Abul Kalam Azad: No such idea is created. The Honourable Member has already been informed that the code is being revised and this will be borne in mind.

مسٹر سسٹکا سیکھر سنیاں : نیا کوڈ بنانے کے بارے میں کتنے آدمیوں سے پوچھا
گیا ہے۔

Mr. Sasanka Sekhar Sanyal: How many persons have been consulted regarding preparation of the new Code?

آنریبل مولانا ابوالکلام آزاد : اس بارے میں ابھی کچھ نہیں کہا جا سکتا ہے۔

The Honourable Maulana Abul Kalam Azad: Nothing can be said about this just now.

INDIA'S CONTRIBUTION TO THE DOLLAR POOL.

958. ***Mr. Manu Subedar:** (a) Will the Honourable the Finance Member please state if Government have received full particulars about (i) the Dollar Pool, (ii) its operation during the period that it was instituted, (iii) India's contribution thereto and (iv) the use which India was permitted to make of dollars from it?

(b) If so, do Government propose to lay on the table of the House a statement showing these particulars?

(c) If the reply to part (a) is in the negative, have Government made any effort to get these particulars and, if so, what were those efforts and what is the result?

(d) Has Government's attention been drawn to a note in the "Statesman" of 15th January 1947, giving some figures indicating the shares of India and the United Kingdom in the accumulated gold and dollar reserve?

(e) Are these figures correct?

The Honourable Mr. Liaquat Ali Khan: (a), (b) and (c). I would invite the Honourable Member's attention to paragraph 29 of the Finance Member's Budget speech for 1946-47, the press communique on the subject which was issued on the 7th October 1946 and placed on the table of the House on the 8th November 1946 and to my reply to the Honourable Member's starred question No. 77 on the 6th February 1947.

(d) and (e). Government have seen the note referred to. As I have repeatedly explained there are no shares in the Dollar Pool. The gold and dollar reserves of the United Kingdom, according to a British White Paper, were estimated to stand at £453 millions, at the end of October 1945. India's balance of payments with the hard currency countries between September 1939 and September 1946 was favourable to the extent of Rs. 93 crores.

Mr. Yusuf Abdoola Haroon: May I know from the Honourable Member what was the balance in the dollar pool and whether we are to receive any dollars in sterling?

The Honourable Mr. Liaquat Ali Khan: As I have said before the question of the dollar pool is one of the matters that has to be settled at the time of settling the sterling balances.

Prof. N. G. Ranga: Have the present Government satisfied themselves whether the statement made by Sir Archibald Rowlands is correct or not that India has gained much more from the Empire Dollar Pool than it has lost?

The Honourable Mr. Liaquat Ali Khan: That is a matter of opinion.

Prof. N. G. Ranga: Has he ascertained the fact whether it is true or not? If India is losing through the Empire Dollar Pool then we cannot follow that particular policy followed by the Honourable Member.

The Honourable Mr. Liaquat Ali Khan: All that I can say is that since I have taken over India is not losing.

Mr. Yusuf Abdoola Haroon: In reply to part (a) what are the balances in the dollar pool?

The Honourable Mr. Liaquat Ali Khan: I must have notice of that question.

Mr. Manu Subedar: As the sterling balance negotiations are being shifted to a further date, and as the Honourable Member assured us that India will get out of the Empire Dollar Pool as early as possible, may we know whether some active effort may not be made in order to terminate India's participation in the dollar pool?

The Honourable Mr. Liaquat Ali Khan: Active effort is being made to have a final settlement of the sterling balances.

DISSOLUTION OF THE DOLLAR POOL.

959. ***Mr. Manu Subedar:** (a) Will the Honourable the Finance Member please state if Government have had any correspondence with His Majesty's Government regarding the dissolution of the Dollar Pool and, if so, from which date the Dollar Pool will stand dissolved, and what is the arrangement for the distribution of the assets remaining in the Dollar Pool?

(b) What would be the position of amounts due to India in excess of what may come to her in the final distribution of the Dollar Pool, and has a guarantee been asked from His Majesty's Government to replace these dollars in due course? If so, in what terms?

The Honourable Mr. Liaquat Ali Khan: (a) and (b). Government have had no correspondence with H. M. G. on the subject. India's withdrawal from the Dollar Pool is linked with the settlement of the question of the sterling balances and the Honourable Member's questions can not be answered till such a settlement takes place.

Mr. Manu Subedar: May I know, as the Empire Dollar Pool was started during the war for a specific war purpose of the Allied Governments, and as the war has finished and we will be in the third year of the termination of the war hereafter, whether its continuance, apart from the sterling balance, is desirable; and if so, whether it could not be settled apart from the general question of sterling balances and the international monetary fund?

The Honourable Mr. Liaquat Ali Khan: As I said just now, the existence of the dollar pool at present is not detrimental to the interests of India.

Mr. Geoffrey W. Tyson: Will the Honourable the Finance Member agree that in any case the dollar pool is to be wound up on the 15th July and that the International Monetary Fund has been operating since the 1st March? Having regard to those circumstances, the point made by Mr. Subedar does not arise.

The Honourable Mr. Liaquat Ali Khan: I understand that is the position.

Mr. Manu Subedar: If that is so, may I know whether at the present moment we are not contributing in the dollar pool and whether the dollars coming to India by the American purchase of hides and other articles are not going to the pool, and whether they will not continue to go to the pool after the first June?

The Honourable Mr. Liaquat Ali Khan: Sir, I would like to have notice of that question.

Sri M. Ananthasayanam Ayyangar: How does the question of the dollar pool connect with the sterling balances?

The Honourable Mr. Liaquat Ali Khan: Because of the question of the multilaterally convertible currency.

Sri M. Ananthasayanam Ayyangar: Are not the dollars acquired by India by her favourable trade balance? Do they then not belong to India and not to the sterling balances?

The Honourable Mr. Liaquat Ali Khan: There is no share fixed for any participants of the dollar pool.

Sri M. Ananthasayanam Ayyangar: Is it not an independent organisation in which we have a share and the balance to our credit can be drawn by India without reference to the sterling balances?

The Honourable Mr. Liaquat Ali Khan: No member of the dollar pool has a fixed share in it otherwise it would not be a pool.

Prof. N. G. Ranga: In view of the fact that Sir Archibald Rowlands said in this House that a particular quantity of dollars was set apart for India in that particular area, may I ask the Honourable Member whether any quantity of dollars is set apart during this year for the use of Indian manufacturers and others from out of this Empire Dollar Pool?

The Honourable Mr. Liaquat Ali Khan: Sir, all that I can say is that we can get all the dollars we want: there is no scarcity in that respect.

Sri M. Ananthasayanam Ayyangar: May I know if it is the Honourable Member's intention, inasmuch as he says that the Dollar Pool is linked with the sterling balances, that he is prepared to accept sterling for dollar?

The Honourable Mr. Liaquat Ali Khan: It is not linked up in that way. It is linked up with the question of the settlement of the sterling balances and the settlement of the sterling balances means that there must be available to India some multilaterally-convertible currency. That is why it is linked up.

PAYMENTS BY THE BROADCASTING DEPARTMENT TO GRAMOPHONE COMPANIES.

960. *Mr. Manu Subedar: (a) Will the Honourable Member for Information and Broadcasting please state how much royalty, goodwill or other payment is being made by Government to the Gramophone Companies?

(b) To which companies are these amounts being paid, how much to each and at what rate?

(c) What steps have Government taken in order to avoid the payment of such royalty in future?

The Honourable Sardar Vallabhbhai Patel: (a) For the Calender year 1946 Rs. 51,815 were paid to the Phonographic Performance (Eastern) Ltd. and the National Gramophone Record Manufacturing Co., Ltd. This payment relates to copyright in gramophone records broadcast by All India Radio from all its stations. All India Radio make no payments other than for royalties.

(b) Gramophone records are obtained from Phonographic Performance (Eastern) Ltd., and the National Gramophone Record Manufacturing Co., Ltd. A list of the members of the Phonographic Performance (Eastern) Ltd., is placed on the table of the House. Gramophone records are also obtained from individual producers. It is not in the public interest to disclose information about the details of the payments made to each concern.

(c) Government cannot escape these payments so long as gramophone records have to be used for purposes of broadcast but if the Honourable Member has any suggestions to make, Government would be prepared to examine them.

List of members of the Phonographic Performance (Eastern) Ltd.

1. Phonographic Performance (Eastern) Ltd.
2. The Gramophone Company, Limited.
3. The Twin Record Co., Ltd.
4. The Columbia Gramophone Co., Ltd.
5. The Hindustan Musical Products, Ltd.
6. Senola Musical Products.
7. The Megaphone, Co.
8. Victoria Phone Record Co.
9. Messrs. Bajaj & Co.
10. The Frontier Trading Co.
11. The Bharat Record Co.
12. Pioneer and Musical Varieties, Ltd
13. Jay-Bharat Record Co.

Mr. Manu Subedar: May I know whether Government will not re-examine the position with a view to find out if more money cannot be given to the artists themselves instead of to the Gramophone companies (who are only middlemen) and whether Government cannot invite these artists independently to the radio stations and create their own records for the purpose of broadcasting?

The Honourable Sardar Vallabhbhai Patel: As to whether it is possible to produce our own records is a matter that will be examined. I do not know whether it is possible.

Mr. Manu Subedar: May I know why it is that we are treated to the same records month in and month out belonging to the same film companies and why new records of equally attractive songs are not created by the Department, which would satisfy the public taste and which would also save the Government the royalty which they are paying? Will the Honourable Minister consider the suggestion?

The Honourable Sardar Vallabhbhai Patel: As I said I will examine the question as to whether it is possible to produce our own records and see if anything can be done in the matter.

Mr. Ahmed E. H. Jaffer: May I know whether subsidy is being paid only to these two companies and whether there are any other companies also to which subsidies are not being paid?

The Honourable Sardar Vallabhbhai Patel: There are no other companies to which subsidies are paid.

Mr. Manu Subedar: What is the position regarding the records of American and other foreign gramophone companies, which are being played on the All India Radio?

The Honourable Sardar Vallabhbhai Patel: I know nothing about it. I shall inquire into the matter.

MUSLIM OFFICERS IN THE CENTRAL BOARD OF REVENUE AND THE CENTRAL EXCISE DEPARTMENTS

†1961. *Haji Abdus Sattar Haji Ishaq Seth (on behalf of Mr. Ahmed E. H. Jaffer): (a) Will the Honourable the Finance Member please state how many officers there are in the Central Board of Revenue and how many of them are Muslims?

(b) How many Collectors are there in the Customs and Central Excise Departments and how many of them are Muslims?

† This question was taken up in the second round.

(c) How many Deputy Collectors, Assistant Collectors, Superintendents and Chief Accounts Officers are there in the Central Excise Department and how many of them are Muslims?

(d) What is the total number of such posts as Deputy Superintendents, Inspectors, Sub-Inspectors and Supervisors in the Central Excise Department and what is the percentage of Muslims holding such posts?

The Honourable Mr. Liaquat Ali Khan: (a) Total—24; Muslims—2.

(b) *Customs*—Total—4; Muslim—1.

Central Excise—Total—5; Muslims—Nil.

(c) and (d). A statement giving the particulars is laid on the table.

Statement showing the total number of executive posts in the Central Excise Department and the number and percentage held by Muslims.

As on 1st January 1947

S. No.	Designation	Total No. of posts	No. held by Muslims	Percentage of Muslims to total*	Remarks
1	Deputy Collectors	5	1	20.0	These are filled by promotion on a basis of selection.
2	Assistant Collectors	47	8†	17.0	
3	Chief Accounts Officers	5			Normally filled by qualified Accounts Officers (S. A. S.) in consultation with the Auditor General.
4	Superintendents (including Inspectors in Madras and Inspectors Groups I and II in Bombay).	194	35	18.0	3 posts vacant. This grade is ordinarily filled by promotion on a selection basis. A proportion of direct recruitment is made in the Allahabad, Calcutta and Delhi Collectorates.
5	Deputy Superintendents (including Assistant Inspectors in Madras and Inspectors Groups III and IV in Bombay).	602	168	28.1	5 posts vacant. This grade is also generally filled by promotion.
6	Inspectors (including Inspectors Groups V and VI in Bombay).	2950 (a)	1120	39.5	(a) 117 posts vacant. All the grades (Inspectors, etc.) mentioned in the Question are being combined in a single grade.
7	Sub-Inspectors (in Madras only).	1087	125	11.5	
8	Supervisors	1238 (b)	554	50.0	(b) 128 posts vacant.

* The percentages have been worked out on the basis of the posts actually filled.

† Another Muslim has since been appointed to officiate as Assistant Collector, raising the percentage to 21.3.

Haji Abdus Sattar Haji Ishaq Seth: In view of the answer given just now, will the Honourable Member please examine the position and see that the Muslim position is bettered within a short time?

The Honourable Mr. Liaquat Ali Khan: Sir, the matter is under consideration.

INDIAN TROOPS SERVING OVERSEAS

†962. ***Haji Abdus Sattar Haji Ishaq Seth** (on behalf of **Mr. Ahmed E. H. Jaffer**): Will the Secretary of the Defence Department be pleased to state:

- (a) the number of Indian troops serving in different countries overseas;
- (b) the names of the countries where these troops are serving, and their number in each country; and
- (c) the period for which these troops will continue to be in these countries and the time when they will be recalled to India?

Mr. G. S. Bhalja: (a) and (b). I would invite the Honourable Member's attention to my reply to starred question No. 82 answered on the 6th February 1947.

(c) Since then Indian Troops in Siam have been withdrawn. As regards other countries and Government's general policy, I would invite the Honourable Member's attention to the statement I made on the cut motion on Friday, the 14th March 1947, last week.

Prof. N. G. Ranga: Who is paying for the maintenance of these troops in other countries?

Mr. G. S. Bhalja: Indian troops outside India are paid for by H. M. G. in the U.K. except those in Japan for whom the charges are met by the Government of India.

FIGURES REGARDING STERLING BALANCES

‡963. ***Mr. Ahmed E. H. Jaffer:** Will the Honourable the Finance Member be pleased to state:

- (a) the exact figure representing India's Sterling Balances till the end of 1946; and
- (b) whether Government propose to lay on the table of the House a statement regarding the Honourable Member's recent talks in London leading to the visit to India of the Financial Mission from England and indicating therein as to how long the preliminary talks are expected to last in India, when the final talks are likely to begin, and whether these talks would be held in Delhi or in London?

The Honourable Mr. Liaquat Ali Khan: (a) Rs. 1,623 crores approximately.

(b) I would invite attention to the reply to part (b) of question No. 79 on the 6th February 1947, and to paragraph 30 of my Budget Speech.

SECRETARY OF STATE FOR INDIA AND HIS OFFICE

‡964. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Finance Member please state whether the Government of India bears the whole or part of the salary of the Secretary of State for India in London and his staff, and if so, what is the total amount of salary and how much thereof is borne by this Government?

(b) What is the total number of Indians serving in that office and how many of them are Muslims?

(c) What will be the future position of that office in relation to India in view of the forthcoming changes?

† This question was taken up in the second round.

‡ This question was postponed to be taken up in the second round but could not be reached during question hour.

The Honourable Mr. Liaquat Ali Khan: (a) As regards the first part of the question, I would invite the Honourable Member's attention to the reply given by my predecessor during the last budget session of the legislature to Starred Question No. 229 asked by Mr. Venkatasubba Reddiar.

As to the second part, the total cost of the Secretary of State for India and of his office in London, for the year 1946-47, is estimated at £614,000 of which, on the proportional basis explained by my predecessor, India has agreed to bear £231,250.

(b) No Indian nationals are serving in the Secretary of State's office. Two Indians are, however, serving as the Secretary of State's Advisers, one of whom is a Muslim.

(c) Government have no information.

POSITION OF THE CENTRAL TRAINING ESTABLISHMENT FOR ALL-INDIA ADMINISTRATIVE SERVICE

†965. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that a decision has been reached to open a Central Training Establishment to train personnel for the new All-India Administrative Services which may replace the Indian Civil Service?

(b) Was this decision reached as a result of the conference of Provincial Prime Ministers held in October, 1946, or was it a Cabinet decision?

(c) Will the present Indian Civil Service Probationer's School at Dehra Dun merge in the proposed Training Establishment, if not, what will be its position?

(d) Where will this Training Establishment be located and when will it start functioning?

(e) What will be the procedure for recruitment to the All-India Administrative Services?

The Honourable Sardar Vallabhbhai Patel: (a) Yes.

(b) The Subject was discussed at the Premier's conference in October 1946 but the final decision was taken by the Central Government with the concurrence of the participating Provincial Governments.

(c) No such School now exists.

(d) The School will be located at Delhi and is expected to start work on the 20th March 1947.

(e) Future recruitment will be made on the results of a competitive examination conducted by the Federal Public Service Commission. This year's batch consists of those who were originally selected for the war reserved vacancies in the Indian Civil Service and who in agreement with participating Provinces have been appointed to the All-India Administrative Service.

SALE OF GOLD IN INDIA ON BEHALF OF HIS MAJESTY'S GOVERNMENT AND U. S. A.

966. ***Seth Govind Das:** Will the Honourable the Finance Member be pleased to lay on the table of the House a statement showing the following particulars:

(i) the total amount of gold sold during the War in India on behalf of His Majesty's Government and the Government of the United States of America;

(ii) the profits that accrued to the two Governments; and

(iii) the effects of these transactions on Indian economy?

† This question was postponed to be taken up in the second round but could not be reached during question hour.

The Honourable Mr. Liaquat Ali Khan: (i) A statement giving the information required under item (i) is placed on the table of the House.

As regards item (ii) and (iii) I would invite the Honourable Member's attention to the reply to part (e) of question No. 47 on the 17th February, 1944 and question No. 162 on the 23rd March, 1944 and paragraph 48 of the Budget Speech for 1944-45.

Statement

Gold sales in India during the war on behalf of His Majesty's Government and United States of America

	Fine oz.
United Kingdom	5,248,058·450
United States of America	2,214,952·017

Total	7,463,010·467

RECRUITMENT OF INDIANS AS OFFICERS IN INDIAN ARM

967. *Seth Govind Das: Will the Secretary of the Defence Department be pleased to state:

(a) whether the attention of Government has been drawn to a letter addressed to the Commandant of the Indian Military Academy, Dehra Dun, by the Vice-Chancellor of the Nagpur University about the recruitment of Indians as officers in the Indian Army; and

(b) if so, whether Government propose to consider the question of changing the existing methods of recruitment to enable trained students and youngmen of India to join the Army?

Mr. G. S. Bhalja: (a) Yes, Sir.

(b) I would invite the Honourable Member's attention to the press note on this subject issued on the 28th December 1946. I also place on the table of the House a copy of Defence Department letter of the 2nd January 1947 to the Vice-Chancellor of the Nagpur University.

LETTER

No. 0339/4/M.T. 4 (a)

GOVERNMENT OF INDIA

DEFENCE DEPARTMENT (ARMY BRANCH)

New Delhi, the 2nd January 1947

To

The Vice Chancellor,
Nagpur University,
Nagpur.

SIR,

I am directed to refer to your representation, dated 27th November 1946 addressed to the Commandant, Indian Military Academy, Dehra Dun regarding the results of the final grading of gentlemen cadets who have completed the first course at the Indian Military Academy, Dehra Dun. The effect of the final grading are that of 127 cadets, 73 were recommended to be commissioned; 12 were recommended for withdrawal, and 42 were recommended for relegation, that is to say, given a further term of training. Those who receive a further term's training will, it is hoped, reach the required standard after this further period and it is anticipated that they will then be commissioned. The number of cadets who have failed to reach the required standard and who, it is considered, will never reach that standard, is 12 out of 127, which is not considered a very high percentage. From Nagpur University one cadet has been withdrawn and four have been relegated.

2. It is recognised that in the case of the 12 who will have been withdrawn, an interruption of their academic career has resulted; but this would be equally the case had they embarked on some other profession such as medicine, and had failed to qualify in the final examination.

3. Possibly there has been some misunderstanding of the expression "relegation", which means that the candidate is given a further term of training. The system is, however, designed in the interests both of the candidate and of the Army and has long been in force at Sandhurst and elsewhere. I am to suggest however, that it would have been advisable for the Vice Chancellor of the Nagpur University to ascertain the facts before making the serious allegations contained in the representation and before circulating it so widely.

I am, Sir,

Your most obedient servant,

P. MASON,

Joint Secretary to the Government of India.

No. 0339/4/MT-4 (a).

Copies to Vice Chancellors of all Universities in India.

MAINTENANCE OF LAW AND ORDER BY MILITARY FORCES IN PROVINCES

968. *Seth Govind Das: Will the Secretary of the Defence Department be pleased to state whether Government propose to station Military Forces in every province for helping the Civil Police in the maintenance of Law and Order or for the purpose of garrisoning the different areas of the country?

Mr. G. S. Bhalja: This is the present practice.

REORGANISATION OF THE DEFENCE FORCES OF INDIA

969. *Seth Govind Das: Will the Secretary of the Defence Department be pleased to state:

- (a) the Armed Forces which will be kept as Regular Forces of this country after demobilisation and repatriation have been completed;
- (b) the Regiments that are exclusively from certain provinces (with the names of the provinces) and those that are miscellaneous and common Regiments;
- (c) the number of Indian Officers who will be left in the Indian Army, Navy and Air Force after demobilisation and repatriation;
- (d) the number of Indian officers drawn from each province;
- (e) whether opportunities will be given to all Provinces to have their proportionate share of appointments in the Officers' cadre;
- (f) whether Government propose to consider the desirability of appointing a Committee for the re-organisation of the Defence Forces of the country; and
- (g) whether Government propose consulting the Provincial Governments as to their needs and suggestions in the matter of reorganising the Defence Forces of the country?

Mr. G. S. Bhalja: (a) and (c). Government have not yet decided on the size of the post-war Armed Forces.

(b) I would refer the Honourable Member to the Indian Army List, a copy of which is in the Library of the House.

(d) I lay a statement on the table of the House.

(e) The grant of commissions in the Armed Forces is not made on a provincial basis. Equal opportunity exists for all provinces.

(f) No, Sir.

(g) No, Sir.

Statement

Provinces, etc.	Royal Indian Navy	Indian Army	Royal Indian Air Force
Assam	3	92	4
Bengal	57	919	138
Bihar	5	195	28
Bombay	211	827	118
C. P. and Berar	19	184	35
Madras	58	1,080	181
N. W. F. P.	6	448	33
Orissa	2	23	6
Punjab	224	5,205	428
Sind	15	103	12
U. P.	61	1,264	147
Ajmer-Merwara		11	3
Baluchistan	1	34	
Coorg		46	...
Delhi	8	103	30
States	34	951	114
Burma, Malaya & China	21		20
Total	725	11,488	1,297

SHARE OF PROVINCES OF INCOME-TAX REVENUE

970. *Seth Govind Das: (a) Will the Honourable the Finance Member be pleased to state what percentage of the Income-tax revenue is paid to the Provinces?

(b) Does the Provincial share of the revenue vary in scale in respect of different Provinces?

The Honourable Mr. Liaquat Ali Khan: (a) and (b). Fifty per cent. of the net proceeds of taxes on income in British India as a whole, as reduced by the proceeds attributable to the Chief Commissioners' provinces, Central (Federal) emoluments and the amount retained by the Centre in accordance with section 138 (2) of the Government of India Act, 1935, is distributed between the provinces in accordance with the percentages laid down in the Government of India (Distribution of Revenues) Order, 1936.

GRANT TO PROVINCIAL C. I. D. FOR REWARDING POSTAL EMPLOYEES:

971. *Lala Deshbandhu Gupta: Will the Honourable the Home Member be pleased to state:

(a) whether it is a fact that an yearly grant is made to each Provincial C. I. D. through the Intelligence Bureau for the purpose of rewarding postal employees;

(b) if so, when this practice was started and the particular reasons for doing the same;

(c) the amounts paid to each Province during the years 1942, 1943, 1944, 1945 and 1946; and

(d) whether Government are aware that the practice was introduced to enlist the co-operation of the Postal employees to fight the "Quit India" Movement of 1942; if so, do Government propose to discontinue these grants?

The Honourable Sardar Vallabhbhai Patel: (a) to (d). The question concerns the operation of intelligence and I regret I am unable, in the public interest, to give the information sought.

INTERCEPTION OF CORRESPONDENCE BY THE PROVINCIAL C. I. D. THROUGH POSTAL EMPLOYEE:

972. *Lala Deshbandhu Gupta: Will the Honourable the Home Member be pleased to state whether the interception of correspondence of particular persons when authorised by a local Government is in practice carried out by the Provincial C. I. D. through the Postal employees?

The Honourable Sardar Vallabhbhai Patel: The question concerns the operation of intelligence and I regret I am unable, in the public interest, to give the information sought.

RACIAL DISCRIMINATION IN FAVOUR OF EUROPEAN AND ANGLO-INDIAN OFFICERS OF THE DELHI POLICE

973. *Lala Deshbandhu Gupta: Will the Honourable the Home Member be pleased to state:

(a) whether it is a fact that European and Anglo-Indian Officers of the Delhi Police enjoy certain privileges which are denied to Indian Officers of the same rank; if so, the reasons for same; and

(b) the steps Government propose to take to stop this racial discrimination?

The Honourable Sardar Vallabhbhai Patel: (a) No: excepting that European and Anglo-Indian Inspectors, if free government residential accommodation is not available, are granted house-rent allowance of Rs. 60 per mensem in lieu thereof as against Rs. 45 p.m. given to Indian Inspectors following the rules in force in the Punjab whence these officers are borrowed.

(b) The question of removing this discrepancy is under my consideration.

GRIEVANCES OF THE STUDENTS OF THE DELHI POLYTECHNIC.

974. *Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Education be pleased to state:

(a) if the grievances of the students of the Delhi Polytechnic have been removed since their strike last year; and

(b) the steps taken for the recognition of the Polytechnic as the technical department of the Delhi University?

آنریبل مولانا ابوالکلام آزاد: (اے) طالب علموں کی اصلی مانگ یہ تھی کہ آل انڈیا ڈپلومے کو ریگڈائز کیا جاوے اور اگر ایسا نہ ہو سکے تو پھر پولی ٹیکنک کو دہلی یونیورسٹی سے ملا دیا جائے۔ اب فیڈرل پبلک سروس کمیشن نے آل انڈیا ڈپلومے کو الیکٹریکل انجینئرنگ کے لئے وقتی طور پر ریگڈائز کر لیا ہے اس کا مطلب یہ ہوا کہ اونچے درجہ کی سروسز کے لئے کمبائنڈ انجینئرنگ سروس کا امتحان سنٹرل

گورنمنٹ کے نیچے ہونا ہے اس میں شامل ہونیکے لئے یہ ڈپلوما ایک کافی کوالیفیکیشن سمجھا جائیگا۔ ابھی یہ ریکگنیشن وقتی طور پر ہوا ہے لیکن جب انسٹی ٹیوشن آف انجینیرز (انڈیا) اسے منظور کرلیگا تو یہ ہمیشہ کے لئے ہو جائیگا۔ اسی انسٹی ٹیوشن کی ایک کمیٹی نے حل میں پولی ٹکنک کی دیکھ بھال کی تھی۔ اب اسکے فیصلہ کا انتظار کیا جا رہا ہے۔

اسی طرح کامرس کے آل انڈیا ڈپلوما جس میں آڈیٹنگ ایک خاص سبجکٹ کی طرح لیا گیا ہو۔ فست آر۔ اے اکزامینیشن کے برابر مان لیا گیا ہے۔

تمام آل انڈیا ڈپلومے اسی غرض سے ریکگڈائز کر لئے گئے ہیں کہ سنٹرل گورنمنٹ کی مینجنگ پوسٹس اور سمنڈر پار اسکالرشپ کے لئے کام دے سکیں۔

طالب علموں کی دوسری شکایتیں، لہارتی اسٹاف اور ہوسٹل کے لئے تھیں۔ یہ شکایتیں بہت حد تک دور کر دی گئی ہیں۔

(بی) دہلی یونیورسٹی کو ایک درخواست بھیجی گئی ہے کہ پولی ٹکنک ڈیپارٹمنٹ یونیورسٹی سے ملا دئے جائیں۔ آنرز ڈگری کورس کی ایک اسکیم پر بھی گورنمنٹ آجکل سوچ بچار کر رہی ہے۔

The Honourable Maulana Abul Kalam Azad: (a) The main demand of the students was the recognition of the All-India Diplomas or in the alternative affiliation of the Polytechnic to the Delhi University. The Federal Public Service Commission have now provisionally recognised the All-India Diploma in Electrical Engineering as a sufficient qualification for admission to the Combined Engineering Services Examination for recruitment to Superior Engineering Services under the Central Government. This recognition will be made absolute after the Institution of Engineers (India) accept this qualification for purposes of exemption from Sections 'A' and 'B' of their Associate Membership Examination. A Committee of the Institution of Engineers (India) recently inspected the Polytechnic and the Institution's decision is awaited.

The All-India Diploma in Commerce with Auditing as a special subject has been recognised an equivalent to first R.A. Examination for purposes of Rule 61(2) (iv) (b) of the Income-tax Act. The Diploma with Auditing and Accountancy as special subject has been accepted as equivalent to a degree of an Indian University for purposes of employment in the Office of the Auditor General in India.

All All-India Diplomas have been recognised for recruitment to teaching posts under the Central Government and for overseas scholarships.

The other grievances of the students relate to laboratories, staff and hostels and these have been removed to a considerable extent.

(b) An application has been made to Delhi University for affiliation of some of the Technical Departments of the Polytechnic. A scheme for instituting Honours Degree Courses in Technology is under consideration.

PROVISION OF FACILITIES TO DIPLOMA HOLDER OF DELHI POLYTECHNIC

975. *Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Education please state:

(a) if the students of the Delhi Polytechnic after passing the Polytechnic senior course are eligible for going abroad for further studies; and

(b) the facilities which Government intend to provide to the Diploma holders of the Polytechnic as compared to the graduates of other Universities for further studies abroad?

آنریبل مولانا ابوالکلام آزاد : (اے) ہاں پولی تکنک سینئر کورس کے ڈپلوما پائے ہوئے

طالب علموں کو اس غرض سے ریگنڈائزڈ کر لیا گیا ہے کہ وہ سنٹرل گورنمنٹ کے سمندر پار اسکالرشپ کا وظیفہ پاسکیں -

(بی) ڈپلوما پئے ہوئے طالب علموں کا وہی درجہ مان لیا گیا ہے جو دوسری یونیورسٹیوں کے گریجویٹس کا ہے البتہ گورنمنٹ یہ نہیں سمجھتی کہ انہیں کوئی خاص طریقہ کا اور درجہ دیا جائے -

The Honourable Maluana Abul Kalam Azad: (a) The Polytechnic Senior courses leading to All-India Diplomas are recognised for the award of Central Government Overseas Scholarships under the scheme sponsored by the Education Department.

(b) The Diploma holders are treated on par with the graduates of other universities and Government do not contemplate extending any special privilege to them.

Prof. N. G. Ranga: In view of the fact that the Government of India makes grants to the Delhi University, may I know why is it that the Government of India have not been able to persuade the Delhi University to adopt this Polytechnic Institute as one of its own institutions and to recognise it as one of its polytechnic faculties?

آنریبل مولانا ابوالکلام آزاد : میں نے ابھی کہا ہے کہ دہلی یونیورسٹی کو درخواست

دی گئی ہے اور اس معاملہ میں غور کیا جا رہا ہے -

The Honourable Maulana Abul Kalam Azad: I have just said that Delhi University has been approached and the matter is under consideration.

ڈاکٹر جے - سی - چیٹرجی : جذب صدر کیا میں یہ دریافت کر سکتا ہوں کہ اگر

گورنمنٹ آف انڈیا نے ڈپلوما کو منظور کر لیا ہے تو ایسی سروسز کے لئے دوسری یونیورسٹیوں میں بھی ان کا ڈپلوما اسی طرح منظور کیا ہے - اگر منظور کیا ہے تو جذب کسی یونیورسٹی کا نام بتلا سکتے ہیں جہاں ڈپلومے کو منظور کیا گیا ہے -

Dr. J. C. Chatterjee: Sir, may I ask if the Government of India have recognised the Diploma, have they also recognised such diplomas of other universities in the matter of entry into their services? If so, will the Honourable Member name such Universities?

آنریبل مولانا ابوالکلام آزاد : کسی دوسری یونیورسٹی کے متعلق گورنمنٹ آف

انڈیا کو اطلاع نہیں ہے لیکن جیسا کہ ممبر صاحب کو معلوم ہے کہ ان تمام باتوں پر غور کیا جا رہا ہے -

The Honourable Maulana Abul Kalam Azad: Government of India have no information regarding any other University but, as the Honourable Member is aware all these matters are under consideration.

ڈاکٹر جے - سی چیٹر جی : جناب سے میں یہ معلوم کرنا چاہتا ہوں کہ کیا

جناب یہ کوشش کریں گے کہ دوسری یونیورسٹیوں کے اندر میں ان ڈپلوموں کو منظور کر لیں - اور دوسری بات جو میں دریافت کرنا

Dr. J. C. Chatterjee: May I ask if you will try to make other universities also to recognize these diplomas. The other question

Mr. President: The Honourable Member can ask one question at a time.

آنریبل مولانا ابوالکلام آزاد : اس بارے میں کاروائی کینجائیگی -

Maulana Abul Kalam Azad: Action will be taken in this matter.

ڈاکٹر جے - سی - چیٹر جی : کیا جناب کو یہ بھی معلوم ہے کہ یہ ڈپلوما جو یہاں

بانٹا جاتا ہے وہ اس درجہ تک نہیں پہنچا کہ کوئی بھی یونیورسٹی اس کو منظور کر سکے -

Dr. J. C. Chatterjee: Is the Honourable Member aware that this diploma which is granted here has not reached a position where it may be accepted by other universities?

آنریبل مولانا ابوالکلام آزاد : میں ایسا خیال نہیں کرتا بہر حال اس کی

تحقیقات کیجا ئیگی -

The Honourable Maulana Abul Kalam Azad: I do not think so. Anyhow inquiries will be made.

REPORT OF THE DEPARTMENTAL COMMITTEE TO EXAMINE THE STRENGTH OF THE ARMY OF THE FUTURE.

976. ***Mr. Manu Subedar:** (a) Will the Secretary of the Defence Department please state when Government propose to publish the Report of the Departmental Committee appointed to examine the strength of the Indian Army of the future?

(b) Do Government propose to lay a copy of this report on the table of the House?

(c) Has this report been made available to Members of the Interim Government and has it been given to members of the Gopaldaswami Iyengar Committee for the Nationalisation of the Indian Army?

Mr. G. S. Bhalja: (a) The Honourable Member is presumably referring to The Army Reorganization Committee appointed by His Excellency the Commander-in-Chief in 1944. As has repeatedly been explained on the floor of this House before, this was not a Government of India Committee but a committee of staff officers appointed by His Excellency the Commander-in-Chief in order that they might report to him personally on the problems referred to them. Its terms of reference did not relate solely to the future size of the Indian Army but covered the size, order of battle, location, organization for command, composition and integration of the Army and Air Forces. Again as has been repeatedly explained on the floor of this House, the report was never intended for publication and will not be published.

(b) No, Sir, for the reasons explained to the House on the 30th October 1946.

(c) The Nationalisation Committee have been given a copy of this Report. The Report is, of course, available to any Member of the Interim Government who wishes to see it.

Mr. Manu Subedar: May I know whether it has been actually given to any Member of the Cabinet?

Mr. G. S. Bhalja: I said, Sir, that the document was not kept back from any Member of the Interim Government. It will be made available to any Member of the Interim Government who wishes to see it.

Mr. Manu Subedar: May I know why a Report which was prepared at the expense of the taxpayers' money and which deals with the important topics which the Honourable the Defence Secretary mentioned should be kept as secret and why the Defence Department chooses to act as a *purdah bibi*?

Mr. G. S. Bhalja: I am afraid there is a misapprehension on the subject. The wide range of subjects to which I referred indicate the secret and technical nature of the problems and for security reasons it would be unwise to disclose these matters on the floor of the House. If the Honourable Members of the House were really much interested in this particular subject and if there was a secret session of the House there would be no objection to mentioning the details.

Mr. Sasanka Sekhar Sanyal: Will this Report be made available to the Members of the Defence Consultative Committee or placed before a meeting of the said Committee?

Mr. G. S. Bhalja: As the report is not available to the Members of this House individually or collectively, I suggest, it should not be available to the Members of the Defence Consultative Committee as such also. Several matters arising out of the report have already been placed before the Committee.

Mr. Sasanka Sekhar Sanyal: What is the objection to placing this matter before the Defence Consultative Committee meeting on the distinct understanding that the discussion on this matter will be maintained as a closed secret?

Mr. G. S. Bhalja: That suggestion will be considered by the Government, Sir.

Mr. Manu Subedar: As the Report is being secreted and kept back from the Members of this House in spite of repeated requests, may I know whether the Honourable the Defence Secretary is in a position to give any assurance to this House and refute the suggestion that the Report contains anti-Indian matter—matter derogatory to the Indian section of the Army?

Mr. G. S. Bhalja: I cannot say much without disclosing the contents of the Report but I think there is nothing derogatory to the Indian Army as such in the Report so far as I recollect.

Prof. N. G. Ranga: Will Government take an early opportunity of placing this Report before the Cabinet and getting it discussed?

Mr. G. S. Bhalja: Sir, if the Cabinet wishes to discuss it there cannot be the slightest objection to placing the whole thing before the Cabinet.

Mr. Manu Subedar: Will not Government now make an effort to give us a summary of the Report deleting those portions which they think are of such security importance that they should not fall into the hands of any prospective enemy of this country?

Mr. G. S. Bhalja: That suggestion will be considered, Sir.

RECOMMENDATION OF THE DEPARTMENTAL AND TECHNICAL COMMITTEE ON THE STRENGTH OF THE INDIAN ARMY

977. *Mr. Manu Subedar: (a) Will the Secretary of the Defence Department please state whether Government have considered the recommendations of the Departmental and Technical Committee, which reported on the strength of the Indian Army?

(b) Which of these recommendations have they adopted?

(c) Which of them have Government rejected and for what reasons?

(d) What steps are Government taking in order to increase the interest in and understanding of Defence matters by the public?

Mr. G. S. Bhalja: (a) If the Honourable Member is referring to the Re-organisation Committee, the answer is that this was not a Government of India Committee but a Committee of staff officers. It did not report to Government but to the Commander-in-Chief and therefore the Commander-in-Chief was the proper authority to consider its recommendations.

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

(d) By service exhibition and Defence Services Weeks; by visits of prominent public men and pressmen to Services installations and formations; by publicity on the radio and in the press through articles and photographs; and by books and pamphlets.

Services sports representatives at headquarters of Commands are also maintaining close liaison with civil press correspondents which has resulted in the public taking a greatly increased interest in Service sports and games.

For the last seven years every effort has been made to interest the general public in the Armed Forces and great progress has been made in this direction. These efforts are continuing and are being intensified. The more interest the public take in the Armed Forces, the more pleased will Government be.

Mr. Manu Subedar: The Commander-in-Chief occupies a very exalted office paid for by India. May I know how long this distinction that he can get a report made and that that report is not a Government report will continue, how long it is intended to maintain this distinction of a kingdom within a kingdom?

Mr. G. S. Bhalja: I am afraid there is again a misapprehension, if I may submit. It is the duty of the Commander-in-Chief to advise Government as regards the size composition of Armed Forces and other problems of Defence. In order to assist him in collecting material and in formulating his own views in order to be able to advise Government, he selected certain Staff Officers to advise him on the subject in detail.

Mr. Manu Subedar: In view of the fact that the size and composition have got financial aspects and these are aspects in which the Honourable the Defence Secretary must have seen this House is very keenly interested in all sections, may I know whether something will not be done to explain this issue to this House so that the House may be reconciled to the extraordinary amount of money which Defence is eating up?

Mr. G. S. Bhalja: When Government have decided on the important questions of the size and the composition of the Forces, the matter will be placed before the House.

Shri Sri Prakasa: In view of the fact, as stated by the Honourable Member, that the Government cannot call for the report of the Commander-in-Chief which is his own particular property, how will the Government be able to consider that Report?

Mr. G. S. Bhalja: The Honourable Member is under a misapprehension. I never said that the Government cannot have that Report. In fact, I have said that any Member of the Interim Government who is interested can call for it and he will be immediately supplied with a copy.

Mr. Manu Subedar: How many Indians were there in this Wilcox Committee, and how many Europeans?

Mr. G. S. Bhalja: Speaking from memory I think one Indian was on the Committee, but I must ask for notice.

Mr. Manu Subedar: And how many others?

Mr. G. S. Bhalja: I must ask for notice of that question.

LOSS IN THE GRAIN SHOP AT NASIK PRINTING PRESS

978. *Mr. Sasanka Sekhar Sanyal: Will the Honourable the Finance Member be pleased to state:

(a) whether Government are aware that a sum of approximately Rs. 90,000 has been written off on account of loss in the grainshop attached to the Printing press at Nasik; and

(b) whether there has been any investigation into that matter?

The Honourable Mr. Liaquat Ali Khan: (a) The Honourable Member's information is not correct. The total amount written off from the inception of the grainshop in 1940-41 to the end of the year 1945-46 was Rs. 43,262. Of this, Rs. 20,183 represents loss due to the revaluation of stocks when controlled rates were introduced, which was treated as "write off on account of revaluation" with the concurrence of the Audit authorities. Of the balance, more than Rs. 20,000 represents the loss in weight due to drying of firewood, which, Government are satisfied, falls within the permissible percentage adopted by the Forest Department of the Provincial Government.

(b) Does not arise, in view of the reply given to part (a).

INDIANS IN THE NASIK PRINTING PRESS

979. *Mr. Sasanka Sekhar Sanyal: (a) Will the Honourable the Finance Member be pleased to state: how many non-Indians are now working in the Nasik Printing Press and what are their ranks and remuneration?

(b) What are their special qualifications for holding the posts?

(c) What steps are being taken to appoint Indians to these posts?

(d) How many Indians are holding posts which are equivalent in rank and remuneration to the posts held by these non-Indians?

The Honourable Mr. Liaquat Ali Khan: (a), (b) and (d). I lay on the table of the House a statement which gives the information desired by the Honourable Member.

(c) The general policy of Indianisation of the higher administrative posts of Master and Deputy Master was initiated in 1932, when two Indian officers were recruited as Assistant Masters for training in the work of the Department with a view to subsequent promotion to administrative appointments. One of these officers now holds the post of Deputy Master of the Stamp Press; the other is no longer in service.

Two other young Indian officers were recruited as Assistant Masters in mid-1946 and are now undergoing training for the same purpose. Future recruitment to these administrative posts will be confined to Indian nationals.

Efforts are being made to recruit Artist Engravers in India, though in these days of specialised training in art and process work separately, instead of jointly as in the past, it may be difficult to find persons possessing the combined qualifications suitable for the requirements of the Press.

As regards Technical Supervisors and Assistant Inspectors, there should be no difficulty in replacing the present incumbents by Indians on retirement.

Statements

S. No.	Designation of post	Remuneration	Special qualifications	Total number of posts of same or equivalent rank and remuneration	Number of posts held by non-Indians	Number of posts held by Indians
1	The Master, Security Printing, India.	Rs. 2,400 p.m. in the scale of Rs. 2,000—200—3,000 <i>plus</i> £13/6/8 O. S. P.	Royal Engineer Officer, Selected on account of his all-round qualifications, with subsequent experience of the Department.	1	1	None
2	The Deputy Master, Currency Note Press.	Rs. 1,100 p.m. in the scale of Rs. 1,000—50—1,400 <i>plus</i> £30 O. S. P.	Ditto	2	1	1
3	The Assistant Master, Currency Note Press (temporary).	Rs. 600 p.m. in the scale of Rs. 500—25—600—30—900 <i>plus</i> Special pay Rs. 120 p.m. Compensatory allowance= 10% Cost of living allowance= Rs. 126 p.m. Present pay while officiating as Deputy Master in leave vacancy Rs. 1,000 <i>plus</i> £30 O. S. P. Cost of living allowance Rs. 175 p.m.	Fully trained printer; filling an administrative post as a temporary measure.	3	1	2

S. No.	Designation of post	Remuneration	Special qualifications	Total number of posts of same or equivalent rank and remuneration	Number of posts held by non-Indians	Number of posts held by Indians
4	The Head Engraver	Rs. 1,000 in the scale of Rs. 700—50—1,000 <i>plus</i> Compensatory allowance=10% ; Cost of Living Allowance = Rs. 175 p.m.	Specially recruited from England in 1928 for design and process work in which he had training and experience.	1	1	None
5	Technical Supervisor	Rs. 410 in the scale of Rs. 350—20—590 <i>plus</i> Cost of Living Allowance=Rs. 72 p.m.	Trained in the S. P. I. as an apprentice.	16	1	15
6	Assistant Inspector	Rs. 150 p.m. in the scale of Rs. 100—10—150—12—270 <i>plus</i> Cost of Living Allowance = Rs. 30 p.m. Interim Relief = Rs. 4 8/- p.m. and Grain Compensation Allowance = Rs. 3/12/- p.m.	Holds Army First Class School Certificate and possesses previous experience in the Control Section as Head Clerk.	43	1	42

Mr. Sasanka Sekhar Sanyal: How many of these officials, Indians or non-Indians, have special qualifications in the matter of stamp designing or otherwise.

The Honourable Mr. Liaquat Ali Khan: I have just placed a statement on the table of the House.

SELECTION OF CADETS FOR THE ROYAL MILITARY COLLEGE, DEHRA DUN FOR KING'S COMMISSION IN 1946

980. *Mr. Madandhari Singh: Will the Secretary of the Defence Department be pleased to state:

(a) the number of cadets from the Royal Indian Military College, Dehra Dun who applied for the King's Commission in the year 1946;

(b) how many were selected; and

(c) how many were rejected and the reasons for their rejection?

Mr. G. S. Bhalja: (i) *Indian Army* —(a) Fifteen cadets from the Prince of Wales's Royal Indian Military College, Dehra Dun, appeared before Selection Boards for acceptance for training for regular commissions as Indian Commissioned Officers in the Indian Land Forces.

(b) Eleven were accepted and one deferred.

(c) Three were rejected by the Board but, on a representation from the Principal of the College, they were permitted, as a special case, to appear before a second Board. They were rejected because they were found by both Boards to be lacking in the qualities required of officers and were not up to standard.

(ii) *R.I.A.F.*—(a) and (b). Six cadets applied for acceptance for training for regular commissions in the R.I.A.F. and all were accepted.

(c) Does not arise.

Dr. J. C. Chatterjee: How long did these candidates remain at the Military Academy?

Mr. G. S. Bhalja: This question refers to the cadets at the Prince of Wales's Royal Indian Military College and not to the Indian Military Academy.

Shri Sri Prakasa: Are there any preliminary tests before they are taken to this College?

Mr. G. S. Bhalja: I do not think so.

Dr. J. C. Chatterjee: In view of the fact that the course at this college is seven years, is it not surprising that for seven years the authorities of this college were not able to find out whether these cadets were suitable? Why were their parents put to this tremendous expense for the long period of seven years?

Mr. G. S. Bhalja: This happens in every educational institution. For instance, a student undergoing a medical course studies for five or seven years and if unfortunately at the end of the course he fails in the examination it is nobody's fault.

Dr. J. C. Chatterjee: The circumstances are entirely different. Boys in this school are received at very early ages—ten or eleven—and therefore is it not surprising that during seven years this highly paid and trained staff were not able to detect that four out of fifteen candidates were entirely unsuitable.

Mr. President: This is a matter of opinion and argument.

Dr. J. C. Chatterjee: Will the Honourable Member consider the desirability of improving the staff there, so that this wastage of time of money on the part of candidates and their parents will not occur?

Mr. G. S. Bhalja: It does not follow that the failures are due to any lack of ability on the part of the staff, not necessarily.

PUNISHMENT OF INDIAN ARMY MEN OF THE 4TH INDIAN COASTAL BATTERY

981. *Mr. Sasanka Sekhar Sanyal: (a) With reference to the starred question No. 1655 asked on the 9th of April, 1946 regarding the punishment of certain Indian Army men of the 4th Indian Coastal Battery, will the Secretary of the Defence Department be pleased to state whether Government have considered the question of releasing Gunners Rahaman and Ghosh sentenced to transportation for life and Gunner A. C. Dey sentenced to seven years' rigorous imprisonment in the middle of 1943?

(b) When do Government propose to make the promised report?

(c) Have Government considered the question of having a non-official enquiry made into the matter?

(d) Do Government propose to consider the question of placing the whole case before the Defence Consultative Committee?

Mr. G. S. Bhalja: (a) The cases of Gunners Rahaman, Ghosh and A. C. Dey were reviewed in September 1946, as a result of which two years of the sentence passed on Gunner A. C. Dey were remitted. Their cases will be further reviewed from time to time.

(b) The report was laid on the table of the House on the 28th October 1946.

(c) No, Sir.

(d) Government do not think, Sir, that any useful purpose would be served by discussing this matter with the Defence Consultative Committee, but if the Honourable Member so desires they will have no objection to placing the matter before the Defence Consultative Committee.

Mr. Sasanka Sekhar Sanyal: Has the Honourable Member's attention been drawn to the assurances of Mr. Philip Mason on that particular day in reply to the various questions which were put on that day, in which he practically gave an assurance that the non-official inquiry will be made and that the reports will be made available for the Defence Consultative Committee?

Mr. G. S. Bhalja: I do not find anything on the record to suggest that my predecessor promised that a non-official inquiry would be made. I would like my Honourable friend to draw my attention to the proceedings of the House.

Mr. Sasanka Sekhar Sanyal: I do not like to take up time by referring *in extenso* to the questions and answers but in reply to various questions he promised to look into the matter and personally he said he did not think that there was any difficulty in placing the matter before the Defence Consultative Committee. Will the Honourable Member kindly consider the whole question afresh in order to see whether the pledges and assurances which were given explicitly and by clear implication can be implemented by this Government?

Mr. G. S. Bhalja: The statement placed on the table of the House on the 28th October 1946 is the result of the undertakings and assurances given by my predecessor. In fact the document was prepared by him. I have added that if the Honourable Member so desires this question will be placed before the next meeting of the Defence Consultative Committee and he can then raise any questions he likes in relation to this matter.

Mr. Sasanka Sekhar Sanyal: In the meantime will the Honourable Member consider the desirability of publishing the correspondence between the lawyers and the department concerned, which correspondence was promised by Mr. Mason would be made available to the Members of the House.

Mr. G. S. Bhalja: I suggest that this question also had better wait until the matter comes up before the Defence Consultative Committee.

Prof. N. G. Ranga: How often are these cases reviewed? Is there any time limit at all?

Mr. G. S. Bhalja: This particular case is likely to be reviewed in July this year.

Sreejot Rohini Kumar Chaudhuri: What was the sentence on Gunner A. C. Dey of which two years were remitted?

Mr. G. S. Bhalja: Gunner A. C. Dey was sentenced to seven years, of which two years were remitted.

Mr. Sasanka Sekhar Sanyal: May I know whether the question of releasing these prisoners is being considered in the light of the general policy of this Government, which made it clear that such people will be released unless there are extraordinary reasons to the contrary?

Mr. G. S. Bhalja: These are cases of mutiny and they were discussed at very great length on the floor of the House. There was no general policy indicated that all mutineers will be released.

TROOPS' REGIMENTS SENT TO MALABAR IN THE SECOND HALF OF 1946.

982. *Haji Abdus Sattar Haji Ishaq Seth: Will the Secretary of the Defence Department be pleased to state:

(a) whether any troops were sent to Malabar in the Madras Presidency in the second half of 1946 and if so, at whose request they were sent and for what purpose;

(b) the number and names of the regiments sent to Malabar; and

(c) whether they are still stationed in Malabar?

Mr. G. S. Bhalja: (a) Yes, Sir. Troops were sent to Malabar for one week from the 29th of August to the 4th of September at the request of the Government of Madras. This was done to counteract subversive propaganda aimed at fostering communal trouble.

(b) One composite battalion made up from the Royal Artillery of the Second British Division.

(c) No, Sir.

Haji Abdus Sattar Haji Ishaq Seth: How did the Government of India come to know that there was going to be subversive activity in Malabar?

Mr. G. S. Bhalja: The Government of Madras made the request to the Central Government. It was at their request that the troops were sent.

Dr. Zia Uddin Ahmad: Were the troops sent at the request of the Premier or the Governor of Madras?

Mr. G. S. Bhalja: It is the Government we are concerned with. The request came from the Provincial Government.

GRANT OF PERMANENT COMMISSION TO I. A. V. C. EMERGENCY COMMISSIONED OFFICERS

†983. *Sardar Mangal Singh: Will the Secretary of the Defence Department please state:

(a) whether it is a fact that the case of the I. A. V. C. Emergency Commissioned Officers for the grant of permanent Commissions has been finally turned down by the Adjutant General in India;

(b) whether those Viceroy's Commissioned Officers in the I. A. V. C., who were granted Emergency Commissions will now be reverted to their pre-war ranks or whether they will be allowed to retire on pensions prematurely;

(c) whether Government are aware that the pensions granted to this class of officers will be practically half of what the other Army Officers will receive; if so, the reasons for this distinction in their case; and

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

(d) whether Government propose to review their case and consider them for the grant of permanent Commissions, or even for short term Commissions, or give them proportionate pensions on the same scale, as has been granted in the case of other Army officers?

Mr. G. S. Bhalja: (a) No, Sir. The position is that Emergency Commissioned Officers of the I.A.V.C. who hold the M.R.C.V.S. diploma or the degree of Bachelor of Veterinary Science from the Madras or Punjab Universities are eligible for permanent Commissions but those who hold only licentiate diplomas are not eligible.

(b) Pre-war V.C.O.s, who were granted Emergency Commissions are eligible for re-appointment as V.C.O.s as and when their services are no longer required as officers, or to retire on pension as Veterinary Assistant Surgeons. Their officer service counts for Veterinary Assistant Surgeon's pension.

(c) Veterinary Assistant Surgeons are entitled to pension on Civil scales. They were granted commissions as officers on the clear understanding that they will be eligible for pension as Veterinary Assistant Surgeons.

(d) Government are considering the following proposals:

(i) That selected Licentiates with outstanding records should be granted short service commissions or be allowed to continue as Emergency Commissioned Officers for a time to give them a chance of obtaining the degree of Bachelor of Veterinary Science by attending a short course at the Madras or Punjab University.

(ii) That pension under the rules applicable to Viceroy's Commissioned Officers granted commissions in other arms be granted to Veterinary Assistant Surgeons holding Emergency Commissions in the I.A.V.C.

DELHI IMPROVEMENT TRUST

984. ***Syed Ghulam Bhik Nairang:** Will the Secretary of the Health Department be pleased to state:

(a) the names of the present Chairman and Members of the Delhi Improvement Trust and of those who have held office as Chairmen and Members of the Trust in the past, mentioning in each case, the period during which the individual held office;

(b) the salaries paid to the Chairman of the Trust from time to time; and

(c) the number of officers and subordinates who were in the employment of the Trust on February 1st, 1947, mentioning the community and salary of each employee and, in case where an employee holds in addition to a post, under the Trust a post under any other local body in the Delhi Province, the salary, allowance, or any other emoluments that he may be drawing in that occupation?

Mr. S. H. Y. Oulshanam: (a) to (c). Three statements giving the information are laid on the table of the House.†

SETTLEMENT OF THE MILLION DOLLAR DEBT TO U. S. A.

†985. ***Maharajkumar Dr. Sir Vijaya Ananda:** (a) Will the Honourable the Finance Member be pleased to state if Government have received any communication from the United States Government asking the Government of India to settle its million dollar silver debt to the United States Government?

(b) If so, do Government propose to consult this House before finalizing the plans for such a settlement?

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

‡ Not printed in these Debates. Copy placed in the Library of the House.—Ed. of D.

The Honourable Mr. Liaquat Ali Khan: (a) India does not owe any dollar debt to U.S.A. on account of silver which was obtained on replacement basis. No communication has been received from U.S.A. regarding the return of the silver.

(b) Does not arise.

DIRECT LOAN TO INDIA FROM U. S. A.

†986. ***Maharajkumar Dr. Sir Vijaya Ananda:** Will the Honourable the Finance Member be pleased to state whether Government propose to consider the desirability of asking for a direct United States loan to India for the specific purpose of making currencies available for purposes of reconstruction and development?

The Honourable Mr. Liaquat Ali Khan: I invite the attention of the Honourable Member to my reply to question No. 76, asked by him on the 6th of February 1947.

RADIO STATION AT BEZWADA

†987. ***Maharajkumar Dr. Sir Vijaya Ananda:** Will the Honourable Member for Information and Broadcasting be pleased to state whether Government propose to take steps to implement their decision to instal a Radio Station at Bezwada?

The Honourable Sardar Vallabhbhai Patel: Bezwada will be included in the post-war Scheme of Broadcasting Development, but the date on which the Station will be installed cannot yet be determined.

RELIEF AND REHABILITATION OF EAST BENGAL SUFFERERS

†988. ***Maharajkumar Dr. Sir Vijaya Ananda:** Will the Honourable the Finance Member be pleased to state what steps have been taken by Government to ascertain that Rs. 3 crores granted by the Interim Government for relief and rehabilitation of East Bengal sufferers have been properly spent on the purpose?

The Honourable Mr. Liaquat Ali Khan: The Government of India have not made any grant for the purpose mentioned by the Honourable Member.

BRITISH OFFICERS IN THE INDIAN DEFENCE FORCES

†989. ***Sardar Mangal Singh:** Will the Secretary of the Defence Department please state how many British Officers have joined the Indian Defence Forces during 1946 and in January and February, 1947?

Mr. G. S. Bhalja: As regards the first part of the question, I would invite the attention of the Honourable Member to the statement laid on the table of the House in answer to Starred Question No. 188, asked on the 11th February 1947. As regards the second part of the question, no British officer or Other Rank has been taken in any of the three Indian Services during January or February 1947.

BRITISH AND INDIAN OFFICERS IN THE SALVAGE DIRECTORATE

†990. ***Sardar Mangal Singh:** Will the Secretary of the Defence Department please state:

(a) the total number of Commissioned Officers in the Salvage Directorate Government of India, and how many of these are British and how many are Indians giving their respective ranks; and

(b) whether Government propose to take steps to appoint an Indian as the head of the Directorate?

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

Mr. G. S. Bhalja: (a) There are 26 Commissioned Officers in the Armed Forces Salvage Organisation distributed as follows:—

Appointment	Rank	Held by	
		British Officers	Indian Officers
Controller	Brigadier*	1	
Deputy Controller	Lieut.-Colonel	1	
Assistant Controllers.	Do.	3	
Deputy Assistant Controllers	Major	8	...
Staff/Captains	Captain	3	10

*The present incumbent holds the local rank of Major-General.

(b) The Nationalisation of the Officer Cadre of the Salvage Organisation, as well as all other parts of the Armed Forces, is awaiting the report of the Armed Forces Nationalisation Committee.

OFFICERS UNDER TRAINING AT STAFF COLLEGE, QUETTA

†991. ***Sardar Mangal Singh:** Will the Secretary of the Defence Department please state:

- how many Officers are under training at present at the Staff College, Quetta;
- of these how many are Indians and how many are British;
- whether it is a fact that the number of Indian Officers for the current course has been reduced by over 60 per cent.; and
- whether Government propose to take steps to increase the number of Indian Officers at the Staff College, so that senior trained Indian Officers may be available to take over charge by June 1948?

Mr. G. S. Bhalja: (a) 182.

(b) British 125; Indian 57.

(c) No, Sir. 74 officers attended the last course against 57 for the current course.

(d) Yes, Sir.

IN MILITARY ACCOUNTANT GENERAL'S OFFICE AT NEW DELHI MEERUT AND SIMLA

992. ***Syed Ghulam Bhik Nairang:** Will the Honourable the Finance Member be pleased to state:

(a) the total number of officers in the Military Accountant General's Office, New Delhi and its allied branches at Meerut and Simla and the number of Muslims among them;

(b) the number of offices of Controllers of Military Accounts, the stations where they are located, the number of Controllers, Junior Controllers and other superior service officers in these offices, and how many of them are Muslims;

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

(c) the number of Deputy Assistant Controllers and Accountants under each Controller, and how many of them are Muslims; and

(d) the number of Section Supervisors, in each Controller's office, who are in receipt of duty allowance at Rs. 40 p.m. and how many of them are Muslims?

The Honourable Mr. Liaquat Ali Khan: (a) The total number of officers in the Military Accountant General's offices at Delhi, Meerut and Simla is 24. Two of these are Muslims.

(b) There are ten Controllers' offices. The offices are situated at Lahore, Ambala, Meerut, Dehra Dun, Poona, Calcutta and Bombay. There are ten Controllers, thirteen Junior Controllers and 184 superior Service officers serving in these offices. The number of Muslims included in these figures is given below:—

(1) Controllers	2
(2) Junior Controllers	3
(3) Superior Service Officers	20

(c) A statement giving the desired information is placed on the table of the House

(d) This information is not readily available.

Statement showing the number of Deputy Assistant Controllers and Accountants serving in the ten Controllers' offices and the number of Muslims amongst them.

	Total number of Deputy Assistant Controllers	Number of Muslims Deputy Assistant Controllers	Total number of Acetts.	Number of Muslim Acetts.
Controller of Military Accounts, Northern Command, Lahore.	65	11	51	7
Controller of Military Accounts (P), Lahore	48	4	22	3
Controller of Military Accounts, Eastern Command, Meerut.	100	8	43	2
Controller of Military Accounts, Southern Command, Poona.	52	Nil	22	Nil
Field Controller of Military Accounts (O&CH), Poona.	105	1	37	Nil
Field Controller of Military Accounts (O. Rs.), Ambala.	222	18	121	15
Controller of Accounts, Air Forces, Dehra Dun	26	2	13	3
Controllers of Naval Accounts, Bombay	22	Nil	9	Nil
Audit Officer, British Troops, Meerut	12	1	5	1
Chief Controller of Factory Accounts, Calcutta	64	2	100	8

The posts of Deputy Assistant Controllers and Accountants are filled by promotion, the latter by clerks who have passed the departmental Subordinate Accounts Service Examination and the former by Accountants.

Dr. Zia Uddin Ahmad: In view of the Resolution of the Government of India of 1934 about the appointment of 25 per cent. Muslims, may I know what is the reason for this shortage?

The Honourable Mr. Liaquat Ali Khan: I would like to have notice of that question. I suppose the shortage is due to there not having been sufficient number of Muslims recruited in the past.

Dr. Zia Uddin Ahmad: We have been hearing a number of times that sufficient number of Muslims are not available. The Honourable Member should know that qualified Muslims are available and will he give us the assurance that they will be appointed according to the percentage fixed for them?

The Honourable Mr. Liaquat Ali Khan: I did not say that a sufficient number of Muslims were not available.....

Dr. Zia Uddin Ahmad: We have been hearing this reply for the last 20 years.

The Honourable Mr. Liaquat Ali Khan: I am not concerned with the replies that were given in the past. What I stated was that probably sufficient number of Muslims were not recruited.

Prof. N. G. Ranga: How are these people appointed? Is it by competitive examination or by selection?

The Honourable Mr. Liaquat Ali Khan: I think there is a direct recruitment and also by promotion. I am afraid I must have notice of that question if my Honourable friend wants further information.

Prof. N. G. Ranga: Will Government consider the advisability of instituting competitive examination even by communities in order to see that only those people from a particular community are recruited who can be considered to be the most efficient people or competent people within that community?

The Honourable Mr. Liaquat Ali Khan: As far as I know, that is how it is done. If they take some representatives from a minority community, then they take only those who have qualified better than others of the same community.

MUSLIM CLERKS RECRUITED IN MILITARY ACCOUNTANT GENERAL'S OFFICE

993. ***Syed Ghulam Bhik Nairang:** Will the Honourable the Finance Member be pleased to state:

(a) the total number of temporary clerks of various categories recruited in the Military Accountant General's office, during the period from September 1939 to December 1946 and the number of Muslims in each category;

(b) the total number of such clerks who were promoted and the number of Muslims among them; and

(c) the total number of such clerks confirmed and the number of Muslims among them?

The Honourable Mr. Liaquat Ali Khan: (a) Total number of temporary clerks recruited in the Military Accountant General's Office during the period from September 1939 to December 1946.

		Number of Muslims
Temporary or B Grade clerks	235	45
Routine or C Grade clerks	10	3
Routine Division clerks	33	11
Total	278	59

(b) Eight B Grade Clerks were promoted to the 'A' Grade. None of them is a Muslim.

Two C Grade Clerks were promoted to the 'B' Grade, One of them is Muslim

(c) Total number of clerks confirmed—18, Number of Muslims—4.

PROMOTION OF MUSLIM DEPUTY ASSISTANT CONTROLLERS AS SUPERIOR SERVICE OFFICERS

994. *Syed Ghulam Bhik Nairang: Will the Honourable the Finance Member be pleased to state:

(a) the number of Deputy Assistant Controllers promoted as Superior Service Officers from 1934 to 1944, and how many of such promotions went to Muslims;

(b) the number of pensioners who were re-employed as Deputy Assistant Controllers and promoted as Superior Service Officers during war time and the number of Muslims so promoted; and

(c) the number of Superior Service Officers and Deputy Assistant Controllers who were sent out of India on Field Service and how many of them were Muslims, how many of them received special recognition of their services ex-India by grant of title or promotion to superior service and how many of those whose services were so recognised were Muslims?

The Honourable Mr. Liaquat Ali Khan: (a) Thirteen Deputy Assistant Controllers have been promoted to the permanent cadre of the Superior Service. None of these is a Muslim. Eighty were promoted to the Emergency cadre. Five of these are Muslims.

(b) Six retired Deputy Assistant Controllers were re-employed and later promoted as Superior Service officers. None of them is a Muslim.

(c) Sixteen Superior Service Officers and 36 Deputy Assistant Controllers proceeded overseas. Three Superior Service Officers and five Deputy Assistant Controllers were Muslims. One of these Muslim Deputy Assistant Controllers was awarded the title of Khan Sahib. Courtesy titles were conferred on six Deputy Assistant Controllers of other communities.

MUSLIM REPRESENTATIVES IN CONFERENCE OF CONTROLLERS OF MILITARY ACCOUNTS

995. *Syed Ghulam Bhik Nairang: Will the Honourable the Finance Member be pleased to state whether Government are aware that a conference of Controllers of Military Accounts is held twice every year to discuss matters of policy, such as promotion of officers and establishment, and, if so, which officers attend this Conference and whether there is adequate representation of Muslim officers in this Conference?

The Honourable Mr. Liaquat Ali Khan: A Conference of Controllers is held as and when the Military Accountant General considers such a Conference is necessary. Command Controllers and Officers of the status of a Command Controller are ex-officio members of this Conference. Controllers in charge of smaller offices, such as the Controller of Naval Accounts are invited by the Military Accountant General at his discretion. At present there are eight officers who have the status of a Command Controller. Two of them are Muslims.

MILITARY COLLEGE IN BENGAL

996. *Mr. G. B. Dani (on behalf of **Maulvi Abdul Hamid Shah**): Will the Secretary of the Defence Department be pleased to state:

(a) whether the Government of India have received any representation from the Government of Bengal requesting them to establish a Military College in Bengal for the benefit of the Bengali people; and

(b) if so, what is the policy of Government in this respect?

Mr. G. S. Bhalja: (a) No, Sir.

(b) The policy of Government is that the Armed Forces should be free from communal and provincial considerations.

Mr. Tamizuddin Khan: Has the Government any scheme of establishing Military Colleges in India?

Mr. G. S. Bhalja: That question does not seem to arise from this one.

Mr Sasanka Sekhar Sanyal: What are the special facilities that are given by the Government of India to people of those provinces who want to get military training but who live in very far off and outlying territories?

Mr. G. S. Bhalja: The same facilities are available to all citizens of India.

Mr. Sasanka Sekhar Sanyal: I am asking with regard to recruitment. Is it within the mind of the Government to extend facilities to all parts of India as far as possible consistently with efficiency?

Mr. President: He says there are equal facilities for all the residents of India.

Mr. Tamizuddin Khan: May I ask the Honourable Member why is it that he has raised the question of communal consideration in military matters as no such question was at all asked?

Mr. G. S. Bhalja: The question is:

“(a) whether the Government of India have received any representation from the Government of Bengal requesting them to establish a Military College in Bengal for the benefit of the Bengali people; and

(b) if so, what is the policy of Government in this respect?”

It was in reply to part (b) of the question that I gave the reply.

AWARD OF OVERSEAS SCHOLARSHIPS IN 1945 AND 1946

997. *Mr. G. B. Dani: Will the Honourable Member for Education be pleased to state:

(a) whether the Government of India have published any information regarding the award of overseas scholarships in 1945 and 1946;

(b) if so, was there any specification with regard to the quota for each caste and creed;

(c) how many applications were received in 1945 by Government from each province; and

(d) how many applicants were called for interview and out of those how many were selected from each province?

آنریبل مولانا ابوالکلام آزاد : (اے) سمندر پار اسکالرشپ کے بارے میں ہر طرح کی انفارمیشن سیلکشن بورڈ اور سینئر اسکالرشپ کی رپورٹ بابت سنہ ۱۹۴۵ء میں چھپ چکی ہے جسکی ایک کاپی ہاؤس کی لائبریری میں مل سکتی ہے اس طرح کی دوسری رپورٹ جو سنہ ۱۹۴۶ء کے سیلکشن سے تعلق رکھتی ہے آج کل چھپوائی جا رہی ہے یہ بہت جلد ہاؤس کے تمام آنریبل ممبروں کو بھیج دی جائیگی -

(بی) جہاں تک سنٹرل اسکالرشپ دیپے کا تعلق ہے گورنمنٹ آف انڈیا کی پالیسی برابر یہ رہی ہے کہ ماڈرن ریٹی کمیونٹیز میں ان کا بتوارا اسی حساب سے ہو جو گورنمنٹ سروس ریکروٹ منٹ کے لئے تھرایا جا چکا ہے البتہ یہ شرط ضرور سامنے رکھتی ہے کہ جتنے اسکالرشپ انہیں دیئے چاہئیں اتنے قابل اُمیدوار ان میں مل جائیں

(سی) سنہ ۱۹۳۵ء میں سلیکشن بورڈ کو آٹھ ہزار آٹھ سو پینتیس (۸۸۳۵) درخواستیں ملی تھیں۔ یہ بتلانا ممکن نہیں ہے کہ ان درخواستوں میں کتنی درخواستیں کن کن صوبوں کی تھیں کیونکہ صوبہ وا کلاسی فیکیشن نہیں کیا گیا۔

(قی) آنریبل ممبر کو سلیکشن بورڈ کی رپورٹ بابت سنہ ۱۹۳۵ء کے صفحہ ۶ کی طرف توجہ دلائی جاتی ہے۔ ان دونوں سوالوں کے بارے میں تمام ضروری باتیں وہاں بتلا دی گئیں تھیں۔

The Honourable Maulana Abul Kalam Azad: (a) Full information regarding the award of Overseas Scholarships has been published in the Report of the Selection Board, Overseas Scholarships 1945, a copy of which is available in the library of the House. A similar report in respect of 1946 selections is now under publication and will be supplied to all the Honourable Members of the House shortly.

(b) In so far as the award of Central Scholarships are concerned it has throughout been the policy of the Government of India to ensure the same proportion of these scholarships for the different minority communities as is prescribed for purposes of recruitment to Government service, provided suitable candidates from those communities are forthcoming.

(c) In all 8,835 applications were received by the Selection Board in 1945, but it is not possible to say how many candidates applied from each province, as the applications, except those of the candidates finally selected, were not classified on a Provincial Basis.

(d) The attention of the Honourable Member is invited to page 6 of the said report where full information is given on both these points.

میسٹر سسڈکا سےخار سنیال : Scholar ships جو دیئے جاتے ہیں اس میں خواتین کے لیے کوئی الگ proportion رکھا گیا ہے کی نہیں؟

Mr. Sasanka Sekhar Sanyal: Is any proportion of scholarships that are awarded reserved for women?

آنریبل مولانا ابوالکلام آزاد : نہیں۔ عورتوں کے لیے کوئی الگ حصہ مقرر نہیں ہے۔

The Honourable Maulana Abul Kalam Azad: No. There is no separate proportion for women.

میسٹر سسڈکا سےخار سنیال : کیا آنرےبل بچیر ساہب اس پر خیال کریں گے اور فرمائیں گے؟

Mr. Sasanka Sekhar Sanyal: Will the Honourable Member please consider it?

آنریبل مولانا ابوالکلام آزاد : ہاں اس پر خیال کیا جائیگا اور یہ چیز یہیں نظر ہے۔

The Honourable Maulana Abul Kalam Azad: Yes, it will be considered and it is borne in mind.

Mr. G. B. Dani: With regard to part (b) of the question, may I ask the Honourable Member if there was any restriction with regard to caste and creed in making award of overseas scholarships as mentioned in the brochure, vide page 4. para. 12?

آنریبل مولانا ابوالکلام آزاد : اس کے لئے نوٹس کی ضرورت ہے۔

The Honourable Maulana Abul Kalam Azad: I want notice to answer this question.

Shri D. P. Karmarkar: With regard to part (d) of the question, may I ask if it is a fact that a member of the backward classes from the Central Provinces, Mr. Ghodimare, was awarded a scholarship, was granted a passport and was given priority by Government and he made all arrangements and then Government came down because this scholarship was granted under an impression that he was a member of the depressed classes.

آنریبل مولانا ابوالکلام آزاد : اس کے لئے نوٹس چاہئے۔

The Honourable Maulana Abul Kalam Azad: I want notice to answer this question.

MUSLIMS HOLDING CLASS I APPOINTMENTS IN ENGINEERING SECTION OF THE ALL INDIA RADIO

†998. ***Hafiz Mohammad Abdullah:** Will the Honourable Member for Information and Broadcasting please state the number of Class I appointments carrying a pay of Rs. 750 and above, in the Engineering Section of the All-India Radio held by Muslims?

The Honourable Sardar Vallabhbhai Patel: None.

MUSLIMS AS STATION ENGINEERS IN ALL-INDIA RADIO

†999. ***Hafiz Mohammad Abdullah:** Will the Honourable Member for Information and Broadcasting please state the number of posts of Station Engineers in the Engineering Section of the All-India Radio and the number of such posts held by Muslims?

The Honourable Sardar Vallabhbhai Patel: Out of 23 posts in the cadre of station engineers in All India Radio, one post is held by a Muslim.

EXCLUSION OF INDIAN CHRISTIANS FROM COMBATANT RANKS OF INDIAN ARMY.

1000. ***Dr. J. C. Chatterjee:** (a) Will the Secretary of the Defence Department be pleased to state whether it is a fact that Indian Christians are at present excluded from Combatant Ranks in the Indian Infantry, Cavalry and Artillery?

(b) If the answer to part (a) above be in the affirmative, what steps do Government propose to take to remove this discrimination against a section of Indian nationals, imposed on them on account of their religious belief?

Mr. G. S. Bhalja: (a) No, Sir. Indian Christians are not excluded from Combatant Ranks in the Infantry, Cavalry or Artillery. According to existing rules relating to Class Composition of the Army, Christians are enlisted as Madrassis or Assamese, if they come from Madras or Assam, and as Christians if they come from any other Province.

(b) The question does not arise.

Dr. J. C. Chatterjee: Is it a fact that up to now or till very recently that was so, that Indian Christians were not admitted into these ranks? Will the Honourable Member kindly make enquiries into the matter? I refer not to officer ranks but to combatant ranks, non-commissioned officers?

Mr. G. S. Bhalja: Why refer to the past? I have given a reply as regards the policy which the Government follow and propose to follow.

Dr. J. C. Chatterjee: Has the Honourable Member seen the Resolution that was passed at the Indian Christian conference on this subject?

Mr. G. S. Bhalja: No, Sir.

Dr. J. C. Chatterjee: Will he kindly call for it because it was sent to the Government of India only a month ago, making representations on this very subject?

Mr. G. S. Bhalja: I will, Sir.

Shri Sri Prakasa: In view of the definite Biblical injunction that the right cheek should be lent if the left is smitten, will the Government discourage Christians from entering the army?

Mr. G. S. Bhalja: No, Sir.

Sreejot Rohini Kumar Chaudhuri: May I know, Sir, if the nomenclature of so called 'martial' and 'non-martial' classes has been removed so far as recruitment is concerned?

Mr. G. S. Bhalja: I have repeatedly answered that there is no longer any distinction between martial and non-martial classes in this country, if ever there was any.

Dr. J. C. Chatterjee: In view of the fact that the doctrine of *Ahimsa* is incessantly preached by Mahatma Gandhi, will the Government consider the advisability of discouraging Hindus from joining the army?

Mr. President: Order, order. Next question.

EARNINGS OF FOREIGNERS IN INDIA

Mr. President: Question No. 1001. Mr. Vadilal Lallubhai. I see the Honourable Member is not in the seat allotted to him. If he does not put the question from the proper seat allotted to him, I won't allow the question to be put.

(Mr. Vadilal Lallubhai then occupied his proper seat.)

1001. *Mr. Vadilal Lallubhai: (a) Will the Honourable the Finance Member please state how much money out of the yearly earnings of foreigners in India has been sent out of India and how much of the same kept in India year by year from 1939 up to date?

(b) What amounts have been sent by Indians to foreign countries year by year out of their total yearly earnings from 1939 onwards?

The Honourable Mr. Liaquat Ali Khan: (a) and (b). Government regret that the necessary statistics are not available.

REQUISITIONING OF LAND BELONGING TO PINJRAPOLE SOCIETY OF CALCUTTA BY WAR DEPARTMENT

1002. *Sjt. Seth Damodar Swroop: Will the Secretary of the Defence Department please state:

(a) whether it is a fact that 3,150 acres of land belonging to the Pinjrapole Society of Calcutta was requisitioned by the War Department of the Government of India through the Government of Bengal for the use of American troops for the duration of war or six months thereafter under rule 75 of the Defence of India Rules;

(b) whether the American troops have now released the land and the same has been returned to the authorities of the Pinjrapole Society; and

(c) if not, why not?

Mr. G. S. Bhalja: (a) Yes, Sir, on the assumption that the Honourable Member is referring to the Society's land at Kanchrapara.

(b) and (c). The American troops have left but the land is held by the Defence Department as under the post-war set-up of the Armed Forces it is possible that a permanent Cantonment may be established here. The Government of Bengal too have some Development Scheme in mind in this area.

The question was recently discussed with the representatives of the Bengal Government who have promised to make some amicable arrangement with the Society.

Prof. N. G. Ranga: Is no effort being made to provide the Pinjrapole with sufficient lands anywhere near the place which has been requisitioned?

Mr. G. S. Bhalja: I understand the lands of the Pinjrapole society are scattered in several places. The Government of Bengal are agreeable to allotting a suitable compact plot which would probably meet with the wishes of the society.

Shri Sri Prakasa: Did the Americans use the land in the same way as the Pinjrapole cattle were using it?

(No answer.)

Mr. Sasanka Sekhar Sanyal: Will this matter be placed before the de-requisitioning Board, Calcutta which has been given authority to advise on such matters?

Mr. G. S. Bhalja: Certainly, Sir.

UNIFIED SCALES OF PAY FOR CLERKS IN ORDNANCE DEPOTS

1003. *Sjt. Seth Damodar Swroop: Will the Secretary of the Defence Department please state:

(a) whether Government are aware that the unified scales of pay for clerks, sanctioned under Army Instructions (India) No. 676 of 1945 and No. 458 of 1946, have not been given effect to so far in a number of Ordnance depots while the same were introduced in certain others immediately after they were sanctioned;

(b) whether Government are aware that some Depot authorities insist upon compulsory execution of the liability bond (IAF.Z—2055) as a condition precedent to the election of the unified scale of pay;

(c) whether the execution of the said Army Bond is entirely optional and a separate allowance is granted therefor;

(d) whether it is a fact that in spite of the instructions from G. H. Q. (I) on the subject the staff of the Ordnance depots and Inspectorates not governed by the Factories Act, is required to work in excess of the hours specified in the Regulations for the Army Ordnance Service, India Part I;

(e) whether it is a fact that the Labour Reduction Review Committee sanctioned by the War Department in 1945, has not yet been, constituted in any of the Ordnance establishments, if so, the reasons therefor;

(f) whether Government are aware that almost all Ordnance Depots and Inspectorates are over officered and that the number of officers has not decreased in proportion to the decrease in work; and

(g) whether Government have received a memorandum dated 28th Jan. '47 from the representatives of the Ordnance employees; if so, what steps if any, the Government have taken to meet the demands contained therein?

Mr. G. S. Bhalja: (a) A.I. (I) 676/45.—So far as Government are aware the unified scale of pay sanctioned in this A.I. (I) is in operation in all Ordnance Depots.

A.I. (I) 458/46.—So far as Government are aware the provisions of this A.I. (I) are in operation in all Ordnance Depots. Certain special individual cases still remain to be decided. Decisions will be reached shortly and intimated to all concerned.

(b) Yes, Sir. The execution of the bond is obligatory on all male clerks.

(c) As already stated the execution of the bond is obligatory. In fact an addition to the common scale of pay is paid on execution of the bond which makes the clerk liable to serve on an "All India" basis.

(d) Government have no information to show that the orders issued by General Headquarters in regard to working hours in Ordnance Depots, etc., are not being observed.

(e) Labour reduction review Committees have been introduced into all except three Ordnance Establishments. Orders have been issued that they should be introduced in these three Establishments also immediately.

(f) No, Sir. Officer Establishments are under continuous review in relation to work load.

(g) Yes, Sir. The memorandum has been received and is under consideration of Government.

BAN ON CONSTRUCTIONS IN GANDHI NAGAR COLONY'

1004. *Shri Mohan Lal Saksena: (a) Will the Secretary of the Health Department be pleased to state whether Government are aware of the existence of a small colony named "Gandhi Nagar" with a population of 6,000 on the other side of the river Jamuna?

(b) Is it a fact that the Government of India has banned all further constructions in this area?

(c) In view of the scarcity of houses in Delhi, do Government propose to lift the ban on constructions in this locality?

(d) Considering the nearness of this Nagar to the city, do Government propose to encourage the development of this Nagar?

Mr. S. H. Y. Oulsnam: (a) Yes.

(b) and (c). The colony lies within the area which was declared in August 1943 to be a controlled area under the Delhi Restriction of Uses of Land Act. Construction of buildings in this area is now subject to the provisions of the Act. Government do not consider it desirable to remove this control which is necessary to prevent unplanned ribbon development.

(d) The Delhi Improvement Trust will be asked to consider the question of development of this area.

Prof. N. G. Ranga: Is it the intention of the Government to provide the usual municipal facilities for this area?

Mr. S. H. Y. Oulsnam: Yes, Sir, when the area has developed the usual municipal services will be provided.

Prof. N. G. Ranga: What are the services that are being provided at present except restrictions?

Mr. S. H. Y. Oulsnam: None, Sir.

Prof. N. G. Ranga: Is it not a fact that they are paying taxes?

Mr. S. H. Y. Oulsnam: I want notice.

Mr. Manu Subedar: If a party has the land and if he has the money and he has an intention to build upon it, why should not Government go into the question and give him permission to build and thereby encourage the development of this area, instead of putting a ban on him under certain law?

Mr. S. H. Y. Oulsnam: I think there is a misunderstanding there. When this control is enforced, the result is that a person wishing to build within a quarter of a mile of the road has to apply for permission to do so and if there is no objection, permission is given.

UNSTARRED QUESTIONS AND ANSWERS

APPOINTMENT OF DR. R. E. MORTIMER WHEELER AS DIRECTOR GENERAL OF ARCHAEOLOGY

83. Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Education be pleased to state:

(a) the circumstances leading to the appointment of Dr. R. E. Mortimer Wheeler as the Director-General of Archaeology in India, on the retirement of late Rao Bahadur K. N. Dikshit and the policy underlying this appointment. and

(b) whether it is a fact that he was released from the military duties to take up this post?

The Honourable Maulana Abul Kalam Azad: (a) Dr. R. E. Mortimer Wheeler was appointed Director General of Archaeology in April 1944 for a term of four years. The circumstances of his appointment were stated by the then Member-in-Charge in the Assembly on 21st February, 1944 in reply to parts (b) and (d) of starred question No. 148 and part (h) of starred question No. 159. As the term of his appointment is due to expire on the 23rd April, 1948, I do not think any useful purpose would be served by going into the question now.

(b) Yes.

QUALIFICATIONS OF DR. WHEELER ON APPOINTMENT AS DIRECTOR GENERAL, ARCHAEOLOGY

84. Pandit Sri Krishna Dutt Paliwal: Will the the Honourable Member for Education be pleased to state:

(a) the qualifications of Dr. Wheeler, which made him eligible for the post;

(b) whether Dr. Wheeler possessed any previous experience of Indian Archaeology (Epigraphy, Numismatics, Sculptures, Paintings, etc.) if so, what; and

(c) whether Government are aware that the claims of a better qualified senior Indian Officer of the Department were ignored in appointing Dr. Wheeler?

The Honourable Maulana Abul Kalam Azad: (a) and (b). The Honourable Member is referred to the reply given in the Legislative Assembly to starred question No. 148, on the 21st February, 1944 and to the supplementaries.

(c) Government are satisfied that none of the officers then within the field of selection had the necessary range of knowledge and experience of modern technique and methods of Archaeological excavations, preservation of ancient monuments and museum organisation, which were required of the Director General of Archaeology.

VISITS OF DR. WHEELER TO IRAN

85. Pandit Sri Krishna Dutt Paliwal: (a) Will the Honourable Member for Education be pleased to state whether Government are aware that Dr. Wheeler visited Iran with a big staff of the Archaeological Department; if so, for what purpose?

(b) Was his Mission concerned in any way with the Indian Archaeology; if so, what was the benefit which resulted from his tour?

(c) What was the cost of this tour to the Indian Exchequer?

The Honourable Maulana Abul Kalam Azad: (a) An Indian Mission consisting of Dr. Wheeler, the Director General of Archaeology and Dr. Mohammad Nazim, a Senior officer in the Archaeological Survey of India, visited Iran in 1945 at the invitation of the Iranian Government. In regard to the purpose of the visit, attention of the Honourable Member is invited to the reply given on the 16th November, 1946 to the section (b) of Starred Question No. 657.

(b) Yes; it is desirable that an expert in Northern Indian Archaeology should have an intimate knowledge of both the pre-historic and historic archaeology of Iran. Many useful contacts were established in the course of the visit.

(c) An expenditure of only about Rs. 1,500 was met by the Government of India, the other expenses having been borne by the Government of Iran.

**EXCAVATION WORKS UNDERTAKEN SINCE DR. WHEELER'S APPOINTMENT AS
DIRECTOR GENERAL, ARCHAEOLOGY.**

86. Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Education be pleased to state:

(a) whether any excavation work was taken up since Dr. Wheeler took charge of the post of Director General of Archaeology; if so, when and where;

(b) the cost of each excavation and the cultural results thereof;

(c) whether it is a fact that an Excavations Training Camp was started at Taxila;

(d) if so, whether Government propose to lay on the table of the House a statement on the training work done in the camp giving the names and qualifications of the trainees and trainers;

(e) the expenditure incurred on this Training Camp; and

(f) whether it is a fact that all excavations in the Archaeological Department were stopped since 1931; and if so, the reasons for incurring this expenditure during the War?

The Honourable Maulana Abul Kalam Azad: (a) and (b). Three excavation works were taken up and the information asked for is as follows:—

(i) in 1944 at Taxila, Punjab—cost Rs. 52,604 (including all the incidental cost of a training school for research students from the Indian Universities),

(ii) in 1945 near Pondicherry, South India—cost Rs. 28,000 (including necessary expenditure on attached students),

(iii) in 1946 at Harappa, Punjab—cost Rs. 33,414 (including necessary expenditure on attached students).

The Taxila excavations were run primarily as a training school, and attracted students from nearly all the Universities in India. From these students, a selection has since been made for recruitment to the Department. The excavations were of additional importance as the first conducted in India on modern scientific lines, and were designed to set a general standard for such work.

The excavations in South India for the first time established a chronological datum for an ancient South Indian culture by identifying it with dated imported materials.

The excavations at Harappa have extensively modified and supplemented the conclusions drawn from the earlier Indus Valley excavations, and will be fully published within the next few months.

(c) and (d). As stated above, a training camp was established at Taxila. Only students specially recommended by the Vice-Chancellors of their Universities were admitted to the training school at Taxila. In addition there were official delegates from States and reputable public institutions. The trainers included the Director General Mr. G. A. Casey (a field-archaeologist of long and approved experience), together with the Archaeological Chemist, the Government Epigraphist and other members of the Departmental staff. A list showing the names and qualifications of the trainees is laid on the table of the House. In a few cases where the students were deputed by States or

other Government institutions the qualifications have not been shown against their names.

(e) Separate figures of expenditure are not available but it is included in the figure of Rs. 52,604 which represents the cost for the excavation work at Taxila.

(f) No. The excavations mentioned in the reply to part (a) were preceded by more costly excavations extending down to 1943-44.

Statement showing the names and qualifications of students in the Archaeological Training Camp at Taxila.

Name	Qualification
1. Achan, P. Anujan	(Recommended by Government of Cochin)
2. Dr. A. Aiyappan
3. Safiyid Mohsin Amir	B.A., C.T.
4. Bajpai, Krishna Datta	M.A., in Ancient Indian History.
5. Bakshi, Krishnarao Gianasham	B.A., LL.B.
6. Balvir, Harishwar Narain	M.A. in History.
7. Banerji, Prasanta Kumar	M.A. in History.
8. Banerji, Priyatosh	M.A. with Epigraphy.
9. Banerji Sivadās	M.A. in Ancient Indian History.
10. Bhattacharya, Asoke Kumar	M.A. (Epigraphy & History).
11. Bhanot, Suran Das	M.A.
12. Bose, Himansu Kumar	M.Sc.
13. Chandr, Sukesh Chandra	M.A. in Ancient Indian History.
14. Chaudhuri, Sashi Bhusan	M.A. in History (First Class).
15. Dani, Ahmad Hasan	M.A. (Ancient Indian History) —B.A. with Sanskrit.
16. Das, Gopi Nath	M.A. in Ancient Indian History.
17. Das, Sudhirranjan	M.A. in Ancient Indian History and Anthropology.
18. Deshpande, Madhusudan Narhar.	B.A. Hons. in Arahmagadhi.
19. Dikshit, Moreshwar Gangadhar	Ph.D. (History).
20. Dikshit, Sadanand K.	M.A.
21. Dwiwedi, Sree Mohan	M.A. in Sanskrit.
22. Gadre, A. S.	(Recommended by Director, of Archaeology, Baroda).
23. Gahlot Kunwar Mohavir Singh	M.A.
24. Ganguly, Kalyan Kumar	M.A. in Ancient Indian History.
25. Gaswami, Kunja Govind	M.A.
26. Guha, Devaprasad	M.A. in Pali.
27. Gyani, Runchhodlal Ghanshyamlal	M.A.
28. Iyengar, K. Narayan	M.A. Degree Examination Mysore University.
29. Jain Moti Chand	M.A. in History.
30. Kala, Satish Chandr	M.A. in Ancient Indian History
31. Karmarkor, Anant Prashram	M.A., Ph.D.
32. Khan, Fazl Ahmad	M.A.
33. Lal, Braj Basi	M.A. in Sanskrit.
34. Majumdar, Prabhas Ch.	M.A. (Pali).
35. Mathur, Girish Chandra	B.A.
36. Mathur, Vijendra Kumar	M.A. in Ancient Indian History.

Name	Qualification
37. Misra, Lakshmi Nath	M.A. History.
38. Mishra, Sadhu Charan	B.A.
39. Mookerji, Ajit Kumar	M.A. (London) in History, also completed M.A. in Ancient Indian History and culture with fine Arts & Archaeology at the Cal. University.
40. Mukherjee, Ushendu Narayan	M.A. in Ancient Indian History.
41. Nandurbarkar, Dattatreya Pandurang	M.A. with Palaeography.
42. Naqvi, Syed Ashfaq Ahmad	B.A. (Hons.), M.A. (Persian), LL.B. (Previous).
43. Nath, Vishwendra	B.A. (Agr.).
44. Patil, Davendra Kumar Rajaram	B.A. (Hons.), M.A. in Ancient Indian History, Ph.D.
45. Pillai, V. R. Parameswaran	Oriental Title Exam. Vidvan. (Travancore State).
46. Puri, Baij Nath	M.A. in Ancient Indian History.
47. Ram Gopal	B.Sc., LL.B.
48. Rath, Purna Chandra	B.A., B.Ed.
49. Saksena, Dharendra Narain	B.A.
50. Sletore, Gopalakrishna Narayan	M.A. in Ancient Indian History, Ph.D.
51. Sarkar, Krishna Chandra	Surveyor & Draftsmanship Exam.
52. Sarkar, Sasanka Sekhar	M.Sc. (Anthropology), worked in Kaiser Wilhem Institute for Anthropology Berlin
53. Sastri, Kidar Nath	M.A.
54. Sengupta, Manindranath
55. Shah, Zainulbidin	B.A. with Mathematics.
56. Shakur, M.A.	M.A.
57. Sharma, Man Mohan Lal	M.A. (History).
58. Shastri, Udai Shankar	Shastri, Kavyatirtha.
59. Siddique, Ghulam Abbas	B.A. (Punjab).
60. Singh, Har Charan	M.A. (Epigraphy).
61. Tnapar, Balkishen	M.A. with Ancient Indian History.
62. Vyas, Akshaykeerti	M.A., B.A. (Hons.).

CREATION OF POST OF JOINT DIRECTOR GENERAL, ARCHAEOLOGY.

87. **Pandit Sri Krishna Dutt Paliwal:** (a) Will the Honourable Member for Education be pleased to state if it is a fact that a post of Joint Director-General of Archaeology in India has been created; if so on what grounds?

(b) What are the functions of this newly created post?

The Honourable Maulana Abul Kalam Azad: (a) and (b). The answer to the first part of part (a) of the question is in the affirmative. As regards the second part of part (a) and part (b) of the question, the Hon'ble Member is referred to the replies given on the 8th April 1946 to parts (c) and (d) of starred question No. 1653 and on the 16th November, 1946 to parts (b) and (c) of starred question No. 656, respectively.

POST OF SUPERINTENDENT OF PUBLICATION IN THE ARCHAEOLOGICAL SURVEY DEPARTMENT

88. **Pandit Sri Krishna Dutt Paliwal:** (a) Will the Honourable Member for Education be pleased to state whether a post of Superintendent of Publications has been sanctioned by Government in the Archaeological Survey Department?

(b) Is it a fact that all the publications of the Archaeological Department including Annual Reports, Memoirs, Epigraphica Indica, Epigraphica-moslemica have been suspended for a long time?

(c) Are Government aware that Epigraphica Indica and Epigraphica Indo-moslemica are published by the Epigraphist to Government?

The Honourable Maulana Abul Kalam Azad: (a) Yes.

(b) Publications of the Archaeological Survey of India, like many other Government publications, were suspended during the war and have now been resumed with the improved supply of paper.

(c) 'Epigraphica Indica' and 'Epigraphica Indo-moslemica' are published by the Archaeological Survey of India and not by the Government Epigraphist.

PROPOSED APPOINTMENT OF DR. WHEELER AS DIRECTOR OF MUSEUMS

89. Pandit Sri Krishna Dutt Paliwal: Will the Honourable Member for Education be pleased to state whether Government propose to appoint Dr. Mortimer Wheeler as the Director of Museums on the expiry of his term as Director General of Archaeology? If so, for what reasons?

The Honourable Maulana Abul Kalam Azad: Government have no such proposal before them at present. As a matter of fact the question of the appointment of the Director of the National Museum of Art, Archaeology and Anthropology cannot be taken up until the details of the scheme have been worked out.

ENQUIRY INTO THE WORKING OF THE DEPARTMENT OF ARCHAEOLOGICAL SURVEY OF INDIA

90. Pandit Sri Krishna Dutt Paliwal: (a) Will the Honourable Member for Education please lay on the table of the House a list of publications excepting official reports, by the officers of the Department of the Archaeological Survey of India since their appointment in the Department?

(b) Do Government propose to consider the desirability of appointing a non-official committee to enquire into the working of this department?

The Honourable Maulana Abul Kalam Azad: (a) The attention of the Honourable Member is invited to the replies given on the 20th March, 1942 to starred questions Nos. 218 and 224 in regard to the papers published up to that date by the officers of the Archaeological Survey of India. A list of the papers published subsequently is laid on the table.

(b) Government have already two bodies with a majority of non-official members who advise them in regard to the working of this Department, viz., the Standing Committee of the Legislature and the Central Advisory Bureau of Archaeology. It is therefore not considered to appoint another committee to enquire into the working of the Department.

Statement

1. Dr. R. E. Mortimer Wheeler, Director General.

(a) "Arikamedu": published in *Ancient India*, No. 2, 1946.

(b) "Archaeological Planning for India: Some of the Factors": published in the *Proceedings of the All India Science Congress, 1946*, and in *Ancient India*, No. 2.

(c) *Archaeology in India to-day*: published by Calcutta University, 1946.

(d) "Virampatanam" published in the *Journal of the Greater India Society*, XI (1945).

(e) "Harappa 194", published in *Ancient India*, No. 3 (in the press).

2. Dr. N. P. Chakravarti, Joint Director General.

(a) "Epigraphy and Anthropology": in *proceedings of the Science Congress, 1946*.

3. Mr. A. Ghosh, Superintendent of Publications.

- (a) "The Age of Kalachuri Imperialism in India": published in *Culture*, Vol. VII, No. 1.
- (b) "The Kalachuris of Southern Kosala": published in D. R. Bhandarkar Commemoration Volume.
- (c) "Two Mohari Seals from Nalanda": published in *Epigraphia Indica*, Vol. XXIV.
- (d) "The pottery of Ahichhatra—Introduction": published in *Ancient India*, No. 1.
- (e) "Seals of an unknown dynasty from Nalanda": published in the *Indian Historical Quarterly*.
- (f) "Nalanda Seals of Budha Gupta and Vishnu Gupta": published in the *Indian Historical Quarterly*.
- (g) "Coins of Varunamitra from Ahichhatra": published in the *Journal of the Numismatic Society of India*.
- (h) "A Bronze Image Inscription from Nalanda": published in *Epigraphia Indica*, XXV.
- (i) "A Buddhist Tract in a stone inscription in the Cuttack Museum": published in the *Epigraphia Indica*, XXVI.
- (j) "A Nalanda Copper Plate of Samudra Gupta": published in *Epigraphia Indica*, XXV.
- (k) "The Date of the Pandava Kings of Southern Kosala": published in *Epigraphia Indica*, XXV.
- (l) "The Karipada Image Inscription of Subhakaradeva": published in *Epigraphia Indica*, XXVI.

4. Mr. T. N. Ramachandran, Superintendent, Southern Circle.

- (a) "Recent Archaeological Discoveries along the Mainamati and Lalmai Ranges, Tippera District East Bengal": published in *B. C. Law Vol. Pt. II*, 1946.

5. Mr. K. R. Srinivasan, Assistant Superintendent.

- (a) Pudukottai Inscriptions: Published by the Pudukottai State.
- (b) "The Megalithic Burials and Urn-fields of South India in the light of Tamil Literature and Tradition": published in *Ancient India*, No. 2.

6. Mr. V. D. Krishnaswami, Assistant Superintendent (Pre-history).

- (a) "Stone Age India": in *Ancient India* No. 3, (in the press).

7. Mr. S. A. A. Naqvi, Assistant Superintendent, Delhi Circle.

- (a) "Guide to Humayun's Tomb and adjacent buildings" (in the press).
- (b) "Sultan Ghari", in *Ancient India*, No. 3 (in the press).

8. Mr. Krishnadeva, Assistant Superintendent

- (a) "Kosam Inscription of Bhadramagha year 81".
 - (b) "Nalanda Seal of Vishnugupta".
 - (c) "Rajghat Copper plate of Govindachandra".
- } Published in *Epigraphia Indica*
- (d) "Excavations at Rajghat": published in *Bibliography of Indian History and Indology*, 1942.
 - (e) "Coin-devices on Rajghat Seals": published in the *Journal of Numismatic Society of India*.

9. Dr. V. S. Agrawala, Assistant Superintendent in charge of Museums Branch.

- (a) "Gupta Art—a study": published in the *Journal of the U. P. Historical Society, Panna Lall Special Number, February*, 1947.
- (b) "Jaunpur Brick Inscription". Published in the *Journal of the U. P. Historical Society, Panna Lall special Number*.
- (c) "Silver Punch-marked coins of the masaka type": published in the *Journal of the Numismatic Society of India* (in the press).
- (d) "A note on the Patna Copper Band with Punch-marked symbols": published in the *Journal of the Numismatic Society of India* (in the press).
- (e) "Food and Drink in Panini's Ashtadhyayi": published in the *Journal of the Ganganath Jha Institute Journal* (in the press).
- (f) "Current Proper names in the Ashtadhyayi and Ancient Sunga Inscriptions". published in the *Bharat-Kaumudi* (in the press).
- (g) "A note on the Parasika Oil in Sanskrit Literature" submitted for *Ancient India*

PROMOTION OF 'SPECIAL STUDIES' IN EDUCATION.

91. Sree Satyapriya Banerjee: Will the Honourable Member for Education be pleased to state:

(a) what is meant by the promotion of special studies in education as mentioned in item 4 of the list of subjects under the Education Department in the Legislative Assembly circular No. XCVII dated 6th Dec. 1946;

(b) what has been done so far in this regard and whether Government have any scheme therefor; and

(c) whether workers' education falls within "special studies" in education, if so, whether Government have any scheme for its promotion, if not, why not?

The Honourable Maulana Abul Kalam Azad: (a) The item referred to by the Honourable Member is intended to cover a special educational problems that may arise from time to time such as Scientific Terminologies for Indian languages; a common Braille for the blind in India; Social and Recreative activities; new techniques of training and assessment of attainments, etc.

(b) A number of such special studies, including those mentioned in part (a) has already been undertaken by the Government of India. A Central Bureau of Psychology has been set up in India to make a study of certain important problems relating to education, such as improvement of the present examination system, methods of selection for the various stages of education, vocational guidance, etc. The question of the establishment of a Central Bureau for Blind Welfare and a Central Institute for Social Service and Public Administration is also under consideration.

(c) Yes. The attention of the Honourable Member is invited to the Chapters on Adult Education and Recreative and Social Activities in the Report by the Central Advisory Board of Education on Post-War Educational Development in India, which has been accepted by the Government of India.

SHORT NOTICE QUESTION AND ANSWER

INCONVENIENCE TO TOURISTS AND TRAVELLERS AT SHOW PLACES IN INDIA

Mr. Manu Subedar: Will the Honourable Member for Railways please state:

(a) whether the attention of Government been drawn to correspondence 12 Noⁿ in the *Statesman* of the 6th March 1947 regarding inconvenience to tourists and travellers at various show places in India?

(b) Do Government propose to consider the plan or programme of establishing a Tourist Department, which will create special facilities to attract tourists from all over the world to see the show places in India?

(c) Do Government propose to examine the possibility of setting up hotels for and in connection with the railway system at some of these places for the convenience both of travellers and of tourists?

(d) Have Government any estimate of the number of tourist travellers, who were coming to India before the war in normal times, and of the approximate amount of money, which they were spending in this country on (i) travelling, (ii) other purposes?

(e) Will Government make a statement of their policy on this subject?

The Honourable Dr. John Matthai: (a) Yes.

(b) Government have received the interim report submitted by the Tourist Traffic Committee which was appointed by the Government in 1945 with Sir John Sargent as the Chairman for the purpose of investigating the possibilities of developing tourist traffic in India. The report recommends *inter alia* the formation of an Indian Tourist Organisation, an autonomous body of a semi official nature, enjoying the confidence of the Central Government, Provincial

Governments and the Indian States. The final report of the Tourist Traffic Committee is awaited, but in the meantime Government are considering what interim action should be taken.

(c) Yes, but no final decision has been reached. Some localities are fairly adequately equipped with facilities for tourists while in some others provision of such amenities by authorities other than railways might be more appropriate.

(d) No.

(e) While Government consider that the first task before the Railways must be to provide facilities for rail travel in India, in principle they favour the earliest possible development of tourist traffic with, however, due regard to the food and transport situations.

Mr. Manu Subedar: Having regard to the need of attracting foreigners to this country to see the great places here and also incidentally drawing some money, will Government ask this Committee to expedite their report and also examine whether an In-tourist Company as a State venture should be put up or whether it should be done by private enterprise or by subsidised private enterprise?

The Honourable Dr. John Matthai: I will consider the Honourable Member's suggestion that the report of the Tourist Traffic Committee should be expedited. But in the meantime, as I stated in my reply, we in the Railway Department are considering setting up an interim organisation for making the necessary preliminary surveys.

Prof. N. G. Ranga: In view of the food shortage and the railway bottleneck to which the Railway Member himself referred, will Government consider the advisability of deferring action for the next two or three years until this crisis is over?

The Honourable Dr. John Matthai: That is a matter that deserves to be considered.

Mr. Manu Subedar: Will Government also consider with the Ministry of Communications whether the benefit of air communication should also not be given and linked up so that a party may have an all-in comprehensive facility for such a tour as he may select out of many which are offered to him, and whether the Civil Aviation Department should also not partake in the earliest formative stage with the proposals which are being made?

The Honourable Dr. John Matthai: The Tourist Traffic Committee under the chairmanship of Sir John Sargent is an inter-departmental committee besides consisting of non-officials in which the Communications Department is represented.

STATEMENTS LAID ON THE TABLE

[INFORMATION PROMISED IN REPLIES TO CERTAIN QUESTIONS—LAID ON THE TABLE OF THE HOUSE—TODAY].

Seth Sukhdev's Unstarred Question No. 214 of 12th April, 1946.

Number of demobilised Military Officers taken in civil employment under the Central Government during the period 1st October 1945 to 31st March, 1946, is 700 approximately.

Mr. K. C. Neogy's Starred Question No. 32 [Parts (a) to (c) and (e)] of 28th October, 1946.

EFFECT IN THE ACTIVITIES OF THE POSTS AND TELEGRAPHS DEPARTMENT AS A RESULT OF COMMUNAL DISTURBANCES IN PROVINCES.

(a) During the period from the 16th August, 1946 to the 28th October, 1946 the following local areas in the respective Provinces were affected by communal disturbances:—
Calcutta and Dacca.—Bengal Presidency.
Allahabad and Agra.—United Provinces.

Sylhet.—Assam.

Ahmedabad, Bombay and Sangamner.—Bombay Presidency.

Amraoti and Saugor.—Central Provinces.

The activities of the P. & T. Department in these Provinces were affected in consequence of the communal disturbances in that there were heavy absentees in the various P. & T. Offices. There was considerable dislocation and suspension of work. A number of post offices had to be closed down temporarily. Deliveries of telegrams were inordinately delayed and the scheduled despatches of mails in the riot affected areas had to be curtailed. Installations of new telephone connections and rectification of faults found in the existing ones were hampered. Supply of telegraph stores for works in progress was cut off.

(b) Yes; Considerable damage and loss has been done to the property belonging to the P. and T. Department as a result of arson and looting. The extent of loss due to the communal disturbances for the period under review amounted to Rs. 1,769-2-0 in cash and postage stamps. In one case in Dacca two registered letters in the custody of a delivery postman are also reported to have been lost.

(c) Yes; Particulars of casualties in the riot affected areas Province by Province are as under:—

	Killed	Injured	Missing
Bengal	7	27	1
Assam	...		
Bombay	1	1	
C. P.	...	1	...
Total	8	31	1

(e) The measure of the protection afforded by the local authorities in each place affected by the communal disturbances varied from Province to Province.

In Bengal, according to reports received police protection does not appear to have been afforded to departmental property or personnel in each place in the disturbed zones.

In Assam police protection was not afforded.

In the United Provinces, police and military pickets were posted at strategic points particularly in Allahabad but no special arrangements for the protection of P. & T. offices were made.

In Bombay, police protection was provided wherever a specific requisition was made by the Department. An armed Police guard was also made available for the city mail motor. Police resources were strained to the utmost due to their pre-occupation in riot areas and so police assistance was not sought unless considered absolutely essential and unavoidable.

In the Central Provinces police assistance was invariably available on requisition.

Babu Ram Narayan Singh's Starred Questions Nos. 134 and 137 of 31st October, 1946

APPOINTMENT OF MR. P. M. GLOVER AS ENTOMOLOGIST IN INDIA LAC RESEARCH INSTITUTE.

No. 134—

(a) The Committee did direct that the post should be advertised both in England and in India. It has not been possible to ascertain whether the post was advertised in India or not.

(b) There is no evidence that there was any contravention of the directions of the Committee.

(c) Yes.

(d) Mr. Glover's application contains no reference to his experience and knowledge of ac.

REPAYMENT OF LOAN TAKEN BY MR. GLOVER.

No. 137—

(a) (i) Yes.

(ii) Yes.

(iii) The whole of the principal of the loan was repaid by him by 15th November, 1944.

(iv) A sum of Rs. 216-4-0 as interest on the loan is still outstanding which has not been paid in spite of several reminders.

(v) Mr. Glover applied for the advance on account of urgent private family reasons and to tide over financial difficulties and the loan was granted to him on these grounds. It later transpired that he had invested the amount in war bonds and steps were taken to recover the loan from him at once.

(b) The irregularity of investing the loan in war bond was pointed out to him and his action was treated as amounting to misconduct. The question of taking disciplinary action will be considered when he rejoins the service of the Committee.

Mr. K. C. Neogy's Unstarred Question No. 73 of 13th November, 1946

EFFECT OF COMMUNAL RIOTS IN NOAKHALI AND TIPPERAH IN BENGAL ON THE ACTIVITIES OF CENTRAL EXCISE DEPARTMENT.

(a) In the Chandpur Circle comprising the district of Tipperah, four Ranges ceased functioning temporarily as their headquarters had to be shifted to safer places during the worst period of the disturbances. All the Ranges in the Circle began working again soon after. Documents in one Range only were lost. Practically all the 21 Ranges in the Noakhali Circle stopped working during the disturbances and 14 were seriously affected although no documents were lost. Some of the Hindu Range Officers left their Ranges to remove their families to places of safety after transferring the office records to less disturbed neighbouring Ranges.

There were no casualties among the Central Excise staff.

(b) A loss in revenue amounting to Rs. 25 only has been reported due to looting of 44 maunds of betelnut from a warehouse at Sonaimuri. How and to what extent the collection of Central Excise revenue will be affected have yet to be seen.

(c) The following staff were posted to the Noakhali and Chandpur Circles :—

	Noakhali	Chandpur
(i) Superintendent	1	1
(ii) Deputy Superintendent	3	2
(iii) Inspector	28	26
(iv) Supervisor	4	3
(v) ' B ' grade clerk	2	2
(vi) ' C ' grade clerk	5	5
(vii) Jamadar	1	3
(viii) Peon	32	31

The number of Ranges that continued to function is indicated in (a) above

No reports about the disturbances appear to have been made by the staff in these areas, except a verbal report by the Assistant Collector, Dacca, on 21st October 1946. The Collector himself issued telegraphic orders on the 17th October (from his camp in South Orissa) to withdraw staff and records from the worst affected areas, and to give all possible help in restoring orders and relief work. These orders were relayed by the Circle Officer, Noakhali, on 19th October, but by then communications in the district were badly damaged. In response to a telegraphic request for details, reports were made by the Circle Officers, Chandpur and Noakhali.

Mr. B. P. Jhunjhunwala's Starred Question No. 655 of 16th November 1946

INCOME-TAX ON TOTAL PROFITS OF STERLING AND DOLLAR COMPANIES IN INDIA

- (a) A list is attached.
- (b) In view of section 54 of the Indian Income-tax Act it is not possible to disclose the names of companies whose British Indian profits exceeded their foreign profits. But the number of such companies, so far as it is known, on the basis of completed income tax assessments was : 97 in 1943-44; 96 in 1944-45 and 84 in 1945-46.
- (c) The reply to the first part is in the affirmative.
- (d) Yes, returns under section 19A were called for in almost all cases.
- (e) The returns were received in a few cases. Most of the Indian offices of the companies concerned were unable to submit the returns as they had no excess to the registers of shareholders which were maintained abroad. It is not therefore possible to give the precise number of shareholders who were in receipt of dividends amounting to Rs. 25,000 or more.
- (f) Yes, in some cases the non-resident shareholders were assessed but the collection of tax had to be postponed because of an appeal pending before the Privy Council. The amount of super tax assessed in these cases is about Rs. 25 Lakhs.
- (g) No prosecution was lodged as the individuals concerned were outside the pale of British Indian laws as they now stand.

List of Sterling and Dollar companies carrying on business in British India.

1. The Cawnpore Electric Supply Company Ltd., Cawnpore.
2. The West Patent Press, Ltd., Aligarh.
3. The Toonbarrie Tea Company Limited, Jalpaiguri.
4. De Havilland Air Craft Company Ltd.
5. East India Tramways Company Ltd.
6. Baluchistan Chrome Company Ltd.
7. Cable and Wireless Mid-East Company Limited.
8. Asiatic Petroleum Co., (India) Ltd.
9. Anglo-Iranian Oil Co., (India) Ltd.
10. Burma Oil Co., (India Trading) Ltd.
11. Burma-Shell Oil Storage and Distributing Co., of India Ltd.
12. Ralli Brothers Ltd.
13. Central Provinces Manganese Ore Co., Ltd., Nagpur.
14. Attock Oil Company Ltd., Rawalpindi.
15. The Delhi Electric Supply and Traction Co., Ltd., Delhi.
16. The Barsi Light Railway Company Ltd., Kurduwadi.
17. Duamara Tea Co., Ltd.
18. Assam Oil Company Ltd.
19. Assam Railway and Trading Co., Ltd.
20. Assam Co., Ltd.
21. Bhubrighat Tea Co., Ltd.
22. Deamoolie Tea Co., Ltd.
23. Doom Dooma Tea Co., Ltd.
24. Empire of India and Ceylon Tea Co., Ltd.
25. Pabbajan Tea Co., Ltd.,
26. Rupai Tea Co., Ltd.
27. Tara Tea Co., Ltd.
28. Mangles Bros. Coorg Coffee Estates Limited, Somwarpet.
29. Elk Hill Coffee Estates Ltd., Siddapur.
30. Tattersfield Co., Ltd.
31. Standard Vacuum Oil Co.
32. Wallace Bros. and Co. Ltd.
33. David Sassoon & Co., Ltd.

34. Sizing Materials Ltd.
35. The Eastern Chemical Co., Ltd.
36. Messrs. Duncan Stewart Co., Ltd.
37. Messrs. Glenfield & Kennedy Ltd.
38. The Western Electric Co., Ltd.
39. Warner Bros. 1st National Pic. Inc.
40. Warner Bros. as agents to Warner Bros. 1st National Pic. Inc., London.
41. Warner Bros. as agents to Warner Bros. 1st National Pic. Inc. New York.
42. Warner Bros. as agents to Vitagarph, New York.
43. Universal Pictures India Ltd., as agents to Universal Pictures Corporation Inc.
44. Candles India Ltd.
45. Cementation, Co., Ltd.
46. Lintas Ltd.,
47. Pinchin Johnson & Coy. Ltd.
48. Asea Electric Ltd
49. Clackie & Son (India) Ltd., Scotland.
50. Burneo Co., Ltd., London.
51. British Burma Petroleum Co., Ltd.
52. Butterworth & Coy. (India), Ltd.
53. Card Clothing & Belting Ltd.
54. C. & J. Hampton Ltd.
55. Carron Co., Ltd.
56. C. W. Chaney & Sons Ltd.
57. Ellerman's Wilson Line Ltd.
58. Henry Simon Ltd., Manchester.
59. International Correspondence Schools (Overseas Ltd.).
60. Louis Dreyfus & Co., Ltd.
61. Lissen Ltd.
62. Rylands & Sons. (Overseas) Ltd.
63. Rowntree & Co., Ltd.
64. Sun Shipping Co., Ltd., London.
65. Spicers (Export) Ltd.,
66. Saint Line Ltd.
67. Spurrier Glazebrook & Co., Ltd.
68. Simens Electric Lamps & Supplies Ltd.
69. Thomas Hardman & Sons Ltd.
70. Twyfords Limited.
71. Williamson & Co., (Rochdale) Ltd.
72. Wright Layman & Umney Ltd.
73. William Collins Sons & Co., Ltd., Glasgow.
74. Army & Navy Stores Ltd
75. British Drug House Ltd.
76. British Tabulating Machine Co., Ltd.
77. Consolidated Pneumatic Tools Co., Ltd.
78. Chloride Electrical Storage Co. (India) Ltd
79. Charles Walker & Co., Ltd.
80. English Electric Co., Ltd.
81. Eadie Bros. & Co., Ltd.
82. English Card Clothing Co., Ltd.
83. International Business Machines Corp. of New York
84. May & Baker Ltd., London.
85. Pilkington Brothers Ltd.
86. Richardson Tear & Co., Ltd.

87. Welcome Foundation Ltd.
88. Wilson Brothers Brothers, Bobbin Co., Ltd.
89. The Anchor Line Ltd.
90. The British Institute of Engl. Tech. Ltd, London.
91. Messrs. Carr & Co., Ltd.
92. The Central Agency Ltd.
93. The English Sewing Cotton Co., Ltd
94. The Grahms Trading Co., (India) Ltd.
95. Johnson and Phillips, Ltd.
96. J. & P. Coats, Ltd.
97. Kirk & Co., (Blackburn) Ltd.
98. Macmillian & Co., Ltd.
99. Millar's Timber Trading Co., Ltd.
100. Mirleas Bickerton & Day Ltd.
101. Reuters Ltd.
102. Twentieth Century Fox Film Crop., New York.
103. Thomas Cook & Sons (Bankers) Ltd.
105. Br. Crown Life Assurance Co., Ltd.
106. Crown Life Insurance Co., Ltd.
107. La-Concorde Insurance Co. of Paris.
108. L'Union Fire Insurance Co., Ltd.
109. Swiss National Insurance Co., Ltd.
110. Scottish Metropolitan Life Assurance Co., Ltd.
111. Baloise Fire Insurance Co., Ltd.
112. Essex & Suffolk Equitable Insurance Co., Ltd.
113. Gresham Life Assurance Co., Ltd.
114. Great Eastern Life Assurance Co., Ltd.,
115. Helvetia Swiss Fire Insurance Co., Ltd.
116. Legal & General Assurance Co., Ltd.
117. Mftrs. Life Assurance Co., Ltd.
118. National Mutual Life Association of Australia.
119. Provincial Insurance Co., Ltd.
120. Scottish Insurance Crop. Ltd.
121. Tansho Marine & Fire Insurance Co., Ltd.
122. Yorkshire Insurance Co., Ltd.
123. Eagle Star Insurance Co., Ltd.
124. Motor Union Insurance Co., Ltd.
125. Messrs. Adrema Ltd.
126. Agfa Photo Ltd.
127. Holland Bombay Trading.
128. Trading Co. Late Hegt. & Co., Ltd.
129. American Express Co., Ltd.
130. Bombay Gas Co., Ltd.
131. Eastern Bank Ltd.
132. Lloyds Bank Ltd.
133. Maritime Insurance Co., Ltd.
134. Norwich Union Life Assurance Co., Ltd.
135. National Employers Mutual Life Association Ltd.
136. Sun Life Insurance Co of Canada.
137. General Accident Fire & Life Assurance Co., Ltd.
138. Begbie Phillips & Haylay.
139. Evans Medical Supplies Ltd.

140. Longmans Green & Co., Ltd.
141. Whippen & Sons, Ltd.
142. The Anglo Thai Corporation Ltd.
143. Banco National Ultra Marino.
144. Bank of Ceylon.
145. Blundell Spence & Co., Ltd.
146. Comptoir National D'Escompte De Paris.
147. Cox & Kings (Insurance) Ltd.
148. F. F. Christien & Co., Ltd.
149. Nederlands Indische Handles Bank.
150. National City Bank of New York.
151. Public Utilities Investment Co., Ltd.
152. Asa Lees & Co., Ltd. (through Indian Textiles Eng. Ltd.).
153. British Colloids Ltd.
154. British and Dominion Film Productions Ltd. (through United Artists Corp.)
155. Cox & Kings (Agents) Ltd.
156. Chloride Electrical Storage Co., Ltd., Manchester.
157. Dobson & Barlow Ltd. (through Indian Textile Engineers Ltd.).
158. E. Green & Co., Ltd.
159. Graton & Knight, Ltd.
160. Howard & Bullough Ltd. (through Indian Textile Engineers Ltd.).
161. John Hetherington & Co., Ltd. (through Indian Textile Engineers Ltd.).
162. London Films Productions (through United Artists Corporation Ltd.).
163. National Aniline & Chemical Co., Ltd.
164. Platt Bros. & Co., Ltd. (through Indian Textile Engineers Ltd.).
165. Parke Davis & Co., Ltd.
166. Tweedales & Samlley Ltd.
167. Textile Machinery Makers Ltd. (through Indian Textile Engineers Ltd.).
168. Turner & Newall, Ltd.
169. Turner Bros. Asbestos Co., Ltd.
170. United Artists Corporation Agents to Alexandra Korda Film Productions Ltd.
171. International Chemical Ltd.
172. John Wyth & Bros. Ltd.
173. United Artists Corporation—Agents to Pendemis Pictures Ltd.
174. United Artists Corporation—Agents to Alexandra Korda Film Incorporated (Dollar).
175. R. K. O. Radios Pictures Inc.
176. Khongca Tea Estates Ltd.
177. Dooria Tea Co., Ltd.
178. Pathini Tea Co., Ltd.,
179. Surma Valley Tea Co., Ltd.
180. Scottish Assam Tea Co., Ltd.
181. Derby Tea Co., Ltd.
182. Kaliabar & Seconee Tea Co., Ltd
183. Neddem Tea Co., Ltd.
184. Badlipar Tea Co., Ltd.
185. Lungla (Sylhet) Tea Co. Ltd.
186. Longai Valley Tea Co., Ltd.
187. Lusheropre Tea Co., Ltd.
188. Rupajuli Tea Co., Ltd.
189. Bordubi Tea Co., Ltd.
190. Bobheel Tea Co., Ltd.

191. Boroi Tea Co., Ltd.
192. Borjan Tea Co., Ltd.
193. Attarikhat Tea Co., Ltd.
194. Jettinga Valley Tea Co., Ltd.
195. British Assam Tea Co., Ltd.
196. Itakhooli Tea Co., Ltd.
197. Jorshat Tea Co., Ltd.
198. Aibheel Tea Co., Ltd.
199. Amgoorie Tea Estate, Ltd.
200. Borellie Tea Co., Ltd.
201. Kachrigoan Tea Co., Ltd.
202. Halem Tea Co., Ltd.
203. Imperial Tea Co., Ltd.
204. Rajmai Tea Co., Ltd.
205. Bargange Tea Co., Ltd.
206. The Calcutta Electric Supply Corporation Ltd.
207. B. N. Railway Co., Ltd.
208. Remington Rand Inc. (Dollar).
209. Minimax, Ltd.
210. A. S. Henry Co., Ltd.
211. W. & T. Avery Ltd.
212. British Insulated Cables Ltd.
213. Behubor Co., Ltd.
214. International Bitumen Emulsions Ltd.
215. T. E. Thompson & Co., Ltd.
216. Calcutta Tramways Co., Ltd.
217. J. Stone & Co. (India) Ltd.
218. Lipton Ltd.
219. Buxa Dooars Tea Co., Ltd.
220. Koomsong Tea Co., Ltd.
221. Lewis & Taylor, Ltd.
222. Corramore Tea Co., Ltd.
223. Assam Frontier Tea Co., Ltd.
224. Attaberie Tea Estate Ltd.
225. Dhoolie Tea Co., Ltd.
226. Dhendie Tea Co., Ltd.
227. Ishabheel Tea Co., Ltd.
228. Gingia Tea Co., Ltd.
229. Mather & Platt Ltd.
230. Meryle Co., Ltd.
231. Heatly Gresham Ltd.
232. Moabund Tea Co., Ltd.
233. Associated British Machine Tools Makers Ltd.
234. Associated Portland Cement Mfg. Ltd.
235. Albion Motors Ltd.
236. Belsari Chardwar Tea Co., Ltd.
237. Ramgaon Tea Co., Ltd.
238. Blyth & Platt Ltd.
239. Bogabagh Tea Co. Ltd.
240. Brown Bayleys Steel Works Ltd.
241. Endogram Tea Co., Ltd.

242. Dima Tea Co., Ltd.
243. Budla Beta Tea Co., Ltd.
244. Saikwah Assam Tea Co., Ltd.
245. Bazaloni Tea Co., Ltd.
246. D. J. Keymore & Co., Ltd.
247. P. & M. Co. (England) Ltd.
248. Marconi International Marine Communication Co., Ltd.
249. Prichet Gold E. P. S. Co., Ltd.
250. Phillips Lamp Co., Ltd.
251. Super Heater Co., Ltd.
252. Moran Tea Co., Ltd.
253. Romai Tea Co., Ltd.
254. Looksan Tea Co., Ltd.
255. Lukwah Tea Co., Ltd.
256. Vulcan Foundry Ltd.
257. Morangi Tea Co., Ltd.
258. Sonabheel (Assam) Tea Co., Ltd.
259. Rangajan Tea Co., Ltd.
260. New Sylhet Tea Co., Ltd.
261. Tingre Tea Co., Ltd.
262. Majuli Tea Co., Ltd.
263. Holman Bros. Ltd.
264. Johnson & Sons (Mfg. Chemist), Ltd., London.
265. Alfred Herbert Conventry Ltd.
266. Good Year Tyre & Rubber Co., Ltd., Akron Ohio U. S. A.
267. British Equitable Insurance Co., Ltd.
268. British India Steam Navigation Co., Ltd.
269. Dunlop Rubber Co., Ltd.
270. Oriental Gas Co., Ltd.
271. Jessop & Co., Ltd. (London).
272. United Scottish Insurance Co., Ltd.
273. Whiteaway Laidlow & Co., Ltd.
274. Alliance Assurance Co., Ltd.
275. Aluminium Ltd.
276. Atlas Assurance Co., Ltd.
277. Air Survey Co., Ltd.
278. Bank Line Ltd.
279. British American Assurance Co., Ltd.
280. British Fire Insurance Co., Ltd.
281. British and Foreign Marine Insurance Co., Ltd.
282. British General Insurance Co., Ltd.
283. British Oak Insurance Co., Ltd.
284. British Traders Insurance Co., Ltd.
285. Bushells Limited.
286. Butler Machine Tool Co., Ltd.
287. Bank of Scotland Dundee Nominees Ltd.
288. Bankers & Traders Insurance, Co., Ltd.
289. C. A. Persons Ltd.
290. Caledonian Insurance Co., Ltd.
291. Canton Insurance Office Ltd.
292. Central Insurance Office Ltd.
293. Century Insurance Co., Ltd.
294. Charantee Steamship Co., Ltd.

295. China Fire Insurance Co., Ltd.
296. City Line Ltd.
297. Clan Line Ltd.
298. Commercial Union Assurance Co., Ltd.
299. Crosse & Federal Union Insurance Co., Ltd.
300. Eastern Federal Union Insurance Co., Ltd.
301. Ellerman Bucknel Steamship Co., Ltd.
302. Employer's Liability Assurance Corp. Ltd.
303. Guardian Assurance Co., Ltd.
304. Hain Steamship Co., Ltd.
305. Hongkong Fire Insurance Co., Ltd.
306. Indian General Navigation & Railway Co., Ltd.
307. Liver Transport & Trading Co., Ltd.
308. Hames Nourse Ltd.
309. Law Union & Rock Insurance Co., Ltd.
310. Liverpool & London, Globe Insurance Co., Ltd.
311. London Assurance.
312. London Guarantee & Accident Co., Ltd.
313. London & Lancashire Insurance Co., Ltd.
314. London & Provincial Marine & General Insc. Co., Ltd.
315. London & Scottish Assurance Corporation Ltd.
316. National Guarantee & Securitiship Association Ltd.
317. New Zealand Insurance Co., Ltd.
318. Northern Assurance Co., Ltd.
319. National Insurance Co. of Great Britain Ltd.
320. Pearl Assurance Co., Ltd.
321. Prodenial Assurance Co. Ltd.
322. Queensland Insurance Co., Ltd.
323. Railway Passengers Assurance Co., Ltd.
324. Royal Exchange Assurance Corporation Ltd.
325. Royal Insurance Co., Ltd.
326. Scottish Union & National Assurance Co., Ltd.
327. South British Insurance Co., Ltd.
328. State Assurance Co., Ltd.
329. Union Insurance Society of Canton Ltd.
330. North China Insurance Co., Ltd.
331. Raleigh Investment Co., Ltd.
332. North British and Mercantile Insurance Co., Ltd
333. River Steam Navigation Co., Ltd.
334. Phoenix Assurance Co., Ltd.
335. Norwich Union Fire Insurance Society Ltd.
336. Union Assurance Society Limited.
337. Gramophone Company, Limited.
338. Peninsular & Oriental Steam Navigation Co., Limited.
339. Asiatic Steam Navigation Company, Limited.
340. Western Assurance Company, Ltd.
341. Sun Insurance Office, Limited.
342. Sea Insurance Company Limited.
343. Standard Life Assurance Company Limited.
344. Indo-pacific Shipping Company Limited.
345. T. & J. Brokebanks Limited.
346. Silver Line Limited.

347. Paltine Insurance Company Limited.
348. Yangtazee Insurance Association Limited.
349. British Sulphate & Amonia Federation, Limited.
350. Hall Line Limited.
351. Hollad British Line.
352. Java Sea & Fire Insurance Company, Limited.
353. Netherland Steam Navigation Company, Limited.
354. Overseas Assurance Company Limited.
355. Rotterdam Lloyds Steam Navigation Company, Limited.
356. Reliance Marine Insurance Company, Limited.
357. West of Scotland Insurance Company Limited.
358. Indo China Steam Navigation Company, Limited.
359. Marine Insurance Company, Limited.
360. Ocean Accident Insurance Company, Limited.
361. Ocean Marine Insurance Company Limited.
362. Ransoms & Rapier Limited.
363. Suttons & Sons Limited.
364. Union Marine Insurance Company Limited.
365. General Film Distributors Limited.
366. Assam Consolidated Tea Estates Limited.
367. Assam Estates Limited.
368. Bengal United Tea Company, Limited.
369. British Indian Tea Company Limited.
370. Cachar & Dooars Tea Company Limited.
371. Dekhari Tea Company, Limited.
372. Deundi Tea Company, Limited.
373. Dorman Long & Company Limited.
374. Doolahat Tea Company Limited.
375. Dooars Tea Company Limited.
376. East India Coal Company Limited.
377. Jhanzie Tea Association, Limited.
378. Jokai (Assam) Tea Company, Limited.
379. Limbiguri Tea Company, Limited.
380. Makum (Assam) Tea, Company, Limited.
381. Makalbari Tea Co., Limited.
382. Shakemate Tea Estates Limited.
383. Sephinjuri Bheel Tea Company, Limited.
384. St. Mary Axe Securities Limited.
385. Steel Brothers and Company Limited.
386. Upper Assam Tea Company Limited.
387. Worthington Simpson Limited.
388. W. T. Henley's Telegraphic Works, Limited.
389. Yule Catto and Company Limited.
390. Achabam Tea Company, Limited.
391. Allen & Hanburys, Limited.
392. Assam Dooars Tea Company Limited.
393. Bagracote Tea Company, Limited.
394. Balijan Tea Company, Limited.
395. Baranagore Jute Factory Company, Limited.
396. Barraoora (Sylhet) Tea Company, Limited.
397. Bell's Asbestos & Eng. Company (India) Limited.
398. British Darjeeling Tea Company Limited.

399. Brao & Chingoor Tea Estates, Limited.
400. Greenwood Tea Company, Limited.
401. Griffin & Tatlock Limited.
402. Hope Tea Company, Limited.
403. Hunwal Tea Company Limited.
404. Henleys Tyre & Rubber Company Limited.
405. Patterson Eng. Co., (India) Limited.
406. Rajah Ali Tea Estates Limited.
407. Western Cashar Tea Company, Limited.
408. Wiggins Teape & Alex Perie (Export) Limited.
409. Amalgamated Tea Estates Limited.
410. Anglo American Direct Tea Trading Company Limited.
411. Chandpur Tea Company Limited.
412. Indian Tea of Cachar Limited.
413. Jalinga Tea Company, Limited.
414. Kanan Devan Hill Produce Company Limited.
415. Silvertown Lubricant Limited.
416. Semens Brothers, Limited.
417. Alex. Lawrie & Company, Limited.
418. Chargola Tea Association, Limited.
419. Chubwa Tea Company Limited.
420. Chulsa Tea Company, Limited.
421. Dhamai Tea Company, Limited.
422. Doloi Tea Company Limited.
423. Daniel Adamson and Company, Limited.
424. East India and Ceylon Tea Company, Limited.
425. Eastern Assam Tea Company, Limited.
426. Eastern Coal Company, Limited.
427. Eyr's Smalting Company, Limited.
428. Ever Ready Company (G. B.) Limited.
429. Fry's Metal Foundaries, Limited (U. K.)
430. Fry's Diecastings, Limited.
431. Harmutty Tea Company, Limited.
432. Jewel Filter Company Limited.
433. A. & J. Main and Company, Limited.
434. Majagram Tea Company, Limited.
435. Mc. Gregor and Balfour Limited.
436. Meenglas Tea Company Limited.
437. Salonah Tea Company, Limited.
438. Scottpore Tea Company, Limited.
439. Shamnugger Jute Factory Company Limited.
440. Sylhet Tea Company Limited.
441. Single Tea Company Limited.
442. Titaghur Jute Factory Company Limited.
443. Allynagar Tea Company, Limited.
444. Amo Tea Company Limited.
445. Coats Brothers and Company Limited
446. Cherie Valley Tea Company Limited.
447. Cossipore Tea Company Limited.
448. Craigpark Tea Company Limited.
449. Chokidinghi Tea Estates Limited.
450. Dangua Jhar Tea Company Limited.
451. Darjeeling Consolidated Tea Company Limited.

452. Dijoo Tea Company Limited.
453. Doloo Tea Company Limited.
454. Doodputli Tea Company Limited.
455. Kukichurra Tea Company Limited.
456. Lankapara Tea Company Limited.
457. Lebong Tea Company Limited.
458. Mazdehee Tea Company Limited.
459. Merchantile Bank of India Limited.
460. Marybong and Keyal Tea Estates Limited.
461. Northern Dooars Tea Company Limited.
462. Planter's Stores and Agency Limited.
463. Rungli Ting Tea Estates Limited.
464. Rukni Tea Company Limited.
465. Tarapore Tea Company Limited.
466. Thanai Tea Company Limited.
467. Victoria Jute Company Limited.
468. Zaloni Tea Estates Limited.
469. Castleton Tea Estate Company Limited.
470. Aluminium Limited Montreal, Canada.
471. Borokai Tea Company Limited.
472. British Arc Welding Company, Limited London.
473. British Ropeway and Engineering Company Limited.
474. Berholla Assam Tea Company Limited.
475. Bells Asbestos and Engineering Limited.
476. Bank of Communication (Chinese Dollar Co.).
477. C. & E. Morton Limited, London.
478. Consolidated Tea and Lands Company, Limited.
479. Croda Limited.
480. Herts Pharmaceuticals, Limited.
481. I. C. I. Dyestuffs Limited.
482. John Dickinson and Company Limited.
483. Kalline Tea Company Limited.
484. Kalamazoo Limited.
485. Leesh River Tea Company Limited.
486. Light Foot Refrigeration Company Limited.
487. National Bank of India Limited.
488. Nobel's Explosives Company Limited.
489. Noyapara Tea Company Limited.
490. Pekin Syndicate Limited.
491. Powers Samas Accounting Machines Limited.
492. International Combustion (India) Limited.
493. John Thompson (Wolverhampton) Limited.
494. Jenson and Nicholson (London) Limited.
495. John Thomson Water Tube Boiler Limited.
496. John Thomson (Dudly) Limited.
497. John Thomson (Kemcott Water Softeners) Limited.
498. Keyah Tea Company Limited.
499. Keymer Bagshawe and Company Limited.
500. Namdang Tea Company Limited.
501. Arcadian Tobacco Company Limited.
502. Cigarette Manufacturing (India) Limited.
503. Dominion Tobacco Company Limited.

- 504. Indian Leaf Tobacco Development Company Limited.
- 505. Printers (India) Limited.
- 506. Peninsular Tobacco Company Limited.
- 507. Thomas Bear and Sons (India) Limited.
- 503. Atlantis (East) Limited.
- 509. John Dewar and Sons Limited.
- 510. F. & C. Ogler Limited.
- 511. G. Atherton and Company (Eastern) Limited.
- 512. Hally Brothers Limited.
- 513. Standard Telephone and Cables Limited.
- 514. Thomas Duff and Company Limited.
- 515. Blackwood Bryson and Company Limited.
- 516. Seroggie Brothers Limited.
- 517. James Finlay Company Limited.

List of Dollar Companies

- 518. Isthmian Steamship Company Limited.
- 519. Great American Insurance Company Limited.
- 520. Hardord Insurance Company Limited.
- 521. Home Insurance Company Limited.
- 522. American Insurance Company Limited.
- 523. Eastern United Assurance Corporation Limited.
- 524. American President Lines.
- 525. Honover Insurance Company Limited.
- 526. Paramount Film of India Limited.
- 527. National Cash Register Company.
- 528. Ludlow Jute Company Limited.
- 529. The Calico Printers' Association Limited, Manchester.
- 530. The Oorogaum Gold Mining Company of India Limited, London.
- 531. The Champion Roof Gold Mines of India Limited, London.
- 532. The Nandydroog Mines Limited, London.
- 533. The Mysore Gold Mining Company Limited, London.
- 534. The London Varnish and Enamel Company Limited, Subsidiary Company of Jensen and Nicholson Limited, London.
- 535. Messrs. Gordon Woodroffec and Co., Ltd., London.
- 536. Messrs. Binny and Co., Limited, London.
- 537. The Madras Tea Estates Limited, Cumbum, Madura Dt.
- 538. Messrs. Harvey Brothers, Agency Limited, London.
- 539. The Pondicherry Railway Co., Ltd., Trichinopoly.
- 540. The British India Tobacco Corporation Ltd., Guntur.
- 541. The Kerala Tea Co., Ltd. By Agents Messrs. Harrisons and Crossfield Limited, Quilon.
- 542. Messrs. Darragh Smail and Co., Ltd., Cochin.
- 543. The Pullangode Rubber Co., Ltd., By Agents Messrs. Aspinwall Company Limited, Cochin.
- 544. Messrs. J. H. Vavascur and Company Limited, London, By Agents Messrs. Aspinwall Company Limited, Cochin.
- 545. The Ceylon Land and Produce Company Limited.
- 546. The Estates and Agency Co., Limited.
- 547. The Nilgiri Plantations Company Limited.
- 548. The Katary Nilgiri Tea Estates Limited.
- 549. The South Indian Railway Company Limited.
- 550. The M. & S. M. Railway Company Limited.
- 551. The Madras Electric Supply Corporation Limited.

552. The Madras Electric Tramways Limited.
 553. Messrs. Harrison & Crossfield Limited, Quilon.
 554. The Magnum Syndicate Limited, Salem.
 555. The Malayalam Plantations Limited.
 556. Messrs. Charles Margon and Company Limited.
 557. The South India Export Company Limited.
 558. Messrs. Declromont and Donner Limited.
 559. Messrs. Simsons and Mc. Conechy Limited.
 560. The Anglo French Textiles Company Limited.
 561. The East India Distilleries and Sugar Factories Ltd.
 562. Messrs. Samuel Barrow and Company Limited.
 563. The Indian Peninsular Rubber and Tea Estates Limited.
 564. The Poonmudi Tea and Rubber Company Limited.
 565. The Jamaican and General Mortgages and Investment Trust Company Limited.
 566. Messrs. William Goodacre and Sons Limited.
 567. The Gudalore (Nilgiri) Tea and Coffee Estates Limited.
 568. The Anamalai Tea Estates Limited.
 569. Stanmore Anamalai Estates Limited.
 570. The Waterfall Anamalai Tea Estates Limited.
 571. The Naduar Estates Limited Valparai.
 572. Peirce Leslie and Company Limited, Calicut.
 573. The Commonwealth Trust Limited, Calicut.
 574. The English and Scottish Joint Co-operative Wholesale Society Limited, Calicut.
 575. The Indian Coffee Corporation Limited, Ghrtasila.

Shri Sri Prakasa's Supplementary Question to Seth Govind Das's Starred Question No. 439 of 21st February 1947.

CULTIVATION OF VEGETABLES IN LAWNS NEAR KINGSWAY IN NEW DELHI

Under condition No. 8 of the terms of agreement with the contractor the unfiltered water was supplied to him free of charge. The amount of Rs. 26,000 was the rent of the land only. Condition No. 8 of the agreement referred to above reads as follows:—

“Whatever unfiltered water will be available on the area leased to the lessee free of charge and the lessee will be responsible for any damage to water installations and he shall be responsible to make his own arrangements to irrigate his crops”.

Sardar Mangal Singh's Starred Question No. 588 of 25th February 1947

IMPORT OF OPTICAL GOOD IN INDIA.

	1945	1946
	Rs.	Rs.
Import duty realised under Tariff item 77(2) which comprises Optical, Scientific, Philosophical and Surgical Instruments.	6,30,548	11,88,966
Duty on Spectacle goods is not separately recorded	...	

STATEMENT RE RAILWAY EARNINGS—LAID ON THE TABLE

The Honourable Dr. John Matthai (Member for Railways and Transport):

Sir, I lay on the table a copy of statement showing the net earnings for the financial years 1944-45 and 1945-46 and the revised figures for 1940-41 to 1943-44 of new Railway lines opened on and after the 1st April 1938 and 1939.

Statement showing net earnings during the years 1940-41 to 1945-46 of new Railway lines opened on and after the 1st April 1938 and 1939 (the figures for 1940-41 to 1943-44 have been revised)

(Note.—Only such lines as are entirely open and have been working for a full year are included.)

S. No.	Name of project	Working Railway	Gauge	Mileage	Date of opening	Net income creditable to the project for		Percentage return of income (col. 7) on capital outlay	Estimated percentage return of income on capital outlay some years after opening as estimated originally
						Year	Income		
1		2	3	4	5	6	7	8	9
						1940-41	1,20,973	8.41	0.87 (a)
						1941-42	1,48,200	9.82	
						1942-43	1,65,619	6.66	
						1943-44	1,47,955	9.12	
						1944-45	1,31,556	7.72	
						1945-46	1,72,491	9.73	
1	Khedro-Nawab-Shah	Jodhpur	Metre	30.7	20-11-39				

(a) This is the figure arrived at in the 'final location survey'.
The earlier estimates produced before the Standing Finance Committee showed a probable return of 0.5% only.

ELECTION OF MEMBERS TO THE COMMITTEE TO CONSIDER THE
REVISION OF THE CONVENTION RE RAILWAY FINANCE

The Honourable Dr. John Matthai: (Member for Railways and Transport):
Sir, I move:

“That this Assembly do proceed to elect in such manner as the Honourable the President may direct, eleven members to serve on a Committee (along with the Honourable the Transport Member, the Honourable the Finance Member and the Financial Commissioner, Railways) to consider the revision of the Convention adopted under the Assembly Resolution, dated the 20th September 1924 and to report in the course of the Session preceding the Budget Session 1948.”

Mr. President: Motion moved:

“That this Assembly do proceed to elect in such manner as the Honourable the President may direct, eleven members to serve on a Committee (along with the Honourable the Transport Member, the Honourable the Finance Member and the Financial Commissioner, Railways) to consider the revision of the Convention adopted under the Assembly Resolution, dated the 20th September 1924 and to report in the course of the Session preceding the Budget Session 1948.”

Mr. Leslie Gwilt (Bombay: European): Sir, can the Honourable Member say how long the proceedings of the Committee are likely to take?

The Honourable Dr. John Matthai: I made a reference to that point in the course of some remarks that I made during the discussion on the cut motions. My expectation is that the materials necessary for the Committee will be ready some time in July and the Committee should be able to finish its work before the end of the calendar year.

Mr. Leslie Gwilt: Will the Committee meet in Delhi?

The Honourable Dr. John Matthai: That will depend on the convenience of the Committee, but my idea is that they will meet here.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): Sir, for the information of the Committee that is to be brought into existence I should like to state that the Convention that is sought to be considered by this Committee was once arrived at by the whole House and it was then considered advisable that the railways being one of the biggest industrial concerns in this country should be made to pay a suitable contribution to the general revenues. I am anxious that the Committee should keep this very prominently before itself and consider it very carefully, because from certain quarters a view has been expressed that the railways should not be asked to make any contribution at all to the general revenues; because they hold that the railways were mere public utilities and should be run for the benefit of only two parties,—the railway users and the railway workmen. I do not hold that view.

Haji Abdus Sattar Haji Ishaq Seth (West Coast and Nilgiris: Muhammadian): Sir, is the Honourable Member going to discuss the whole question of the Convention?

Mr. President: Let us see how he proceeds.

Prof. N. G. Ranga: Sir, I am anxious that such industrial concerns as are financed and managed by the State should be made to contribute to the general revenues of the State, because the community as a whole and the Government on its behalf contribute to much of the prosperity of the railways as they contribute to any other industry. While all other industries run by private enterprise are being made to pay various taxes like income-tax and so on.....

Mr. President: I am afraid it will not necessary on this motion to go into the details of this question at all. The whole Convention is to be considered by the Committee whose report will be coming before the House.

Prof. N. G. Ranga: That is why I want this particular view to be placed before the Committee so that they would not feel completely free to dismiss this particular Convention and the principle underlying it that this particular industry should make a suitable contribution to the general revenues.

The Honourable Dr. John Matthai: The subject raised by the Honourable Member is one which in my opinion would properly fall within the purview of this Committee. My intencion is that the Committee, when it is elected, should draw up its own terms of reference, and this question, along with other questions, will be considered by the Committee.

Prof. N. G. Ranga: Therefore I hope that this Committee will not simply brush aside this question. I do not want the Committee to be so completely independent of such considerations as to draw its own terms of reference and make a report which may in the end come to be considered by this House but may not be so very useful.

Dr. Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I understand from the reply of the Honourable Member that it will be within the terms of reference of this committee to consider whether the contribution to the general revenues should be abolished altogether, whether it will be within the terms of reference of the committee to change the system of depreciation fund, and whether it will be within the terms of reference of the committee to consider the whole policy of the betterment fund and various railway reserves?

The Honourable Dr. John Matthai: As far as Government are concerned, every question relating to these matters would be within the purview of the Committee.

Mr. President: The question is:

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, eleven members to serve on a Committee (along with the Honourable the Transport Member, the Honourable the Finance Member and the Financial Commissioner, Railways) to consider the revision of the Convention adopted under the Assembly Resolution, dated the 20th September 1924 and to report in the course of the Session preceding the Budget Session 1948."

The motion was adopted.

Mr. President: I have to inform Honourable Members that for the purpose of election by means of the single transferable vote of eleven members to the Committee to consider the revision of the Convention regarding Railway Finance, the programme of dates will be as follows:—

1. Nominations to be filed in the Notice Office up to 12 Noon on Wednesday, the 19th March.

2. Election, if necessary, will be held on Friday, the 21st March in the Assistant Secretary's room in the Council House between the hours of 10-30 A.M. and 1 P.M.

CONTROL OF SHIPPING BILL

The Honourable Mr. I. I. Chundrigar (Commerce Member): Sir, I beg to move for leave to introduce a Bill to provide for the control of shipping.

Mr. President: The question is:

"That leave be granted to introduce a Bill to provide for the control of shipping."

The motion was adopted.

The Honourable Mr. I. I. Chundrigar: Sir, I introduce the Bill.

CAPITAL ISSUES (CONTINUANCE OF CONTROL) BILL

The Honourable Mr. Liaquat-Ali Khan (Finance Member): Sir, I beg to move for leave to introduce a Bill to provide for the continuance of control over issues of capital.

Mr. President: The question is:

“That leave be granted to introduce a Bill to provide for the continuance of control over issues of capital.”

The motion was adopted.

The Honourable Mr. Liaquat Ali Khan: Sir, I introduce the Bill.

PROVINCIAL INSOLVENCY (AMENDMENT) BILL

The Honourable Mr. Jogendra Nath Mandal (Law Member): Sir, I beg to move for leave to introduce a Bill further to amend the Provincial Insolvency Act, 1920

Mr. President: The question is:

“That leave be granted to introduce a Bill further to amend the Provincial Insolvency Act, 1920.”

The motion was adopted.

The Honourable Mr. Jogendra Nath Mandal: Sir, I introduce the Bill.

LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL

The Honourable Mr. Jogendra Nath Mandal (Law Member): Sir I beg to move for leave to introduce a Bill further to amend the Legal Practitioners Act, 1879, and the Indian Bar Councils Act, 1926.

Mr. President: The question is:

“That leave be granted to introduce a Bill further to amend the Legal Practitioners Act, 1879, and the Indian Bar Councils Act, 1926.”

The motion was adopted.

The Honourable Mr. Jogendra Nath Mandal: Sir, I introduce the Bill.

REQUISITIONED LAND (CONTINUANCE OF POWERS) BILL

Mr. G. S. Bhalja (Government of India: Nominated Official): Sir, I move:

“That the Bill to provide for the continuance of certain emergency powers in relation to requisitioned land, as reported by the Select Committee, be taken into consideration.”

Sir, the Select Committee went into the provisions of the Bill very carefully and recommended two important changes: (i) That paragraph (c) of sub-clause (B) of clause 5 of the Bill should be deleted as the Committee considered that the procedure for acquisition provided in the ordinary law should suffice. Government have decided to accept this recommendation. (ii) The other important change which the Committee recommended was that the cases in which Government had to resort to the acquisition of requisitioned land, compensation should be paid at the market value, not on the date of the notice of requisition as was provided in the original Bill but the market value as on the date of notice of acquisition. The Committee felt that the market value of land had substantially increased since the dates when many of these requisitions were made and considered it inequitable in principle that compensation for acquisition today should be based on the lower values prevailing at the time of requisition. Government have very carefully considered this recommendation and have decided to accept the principle underlying it. That principle is that the person from whose possession land was requisitioned during the war should be placed in a position to purchase another piece of land similarly situated when his land comes to be

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acquired by Government. On detailed examination Government found that if the recommendation of the committee were accepted *in toto* the cost involved would be in the neighbourhood of some 20 crores of rupees. This is because land values have considerably appreciated in urban areas. An enquiry was made from Provinces to indicate the extent to which land values had risen during the war. The replies received show that the values vary from place to place, but speaking generally in rural areas land value has risen roughly from 25 per cent. to 150 per cent. whereas in urban areas it has risen from 100 to 500 per cent, and in some cases like Delhi it is reported that it has risen by about 1,000 per cent. Government feel that they should not allow profiteering to be made in this business and that people in urban areas in particular where land values have risen tremendously should not be allowed to make fortunes out of the war. Therefore it is proposed that while in rural areas the value of appreciation should be given practically in full to the person from whom land was requisitioned, in urban areas compensation for the use in value should be limited to 100 per cent. over the market value of the land when it was requisitioned.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadian Rural): Will he kindly repeat the last sentence?

Mr. G. S. Bhalja: In urban areas compensation will be limited to 100 per cent over the market value at the time of requisition. This will substantially cover the increase that has taken place in rural areas and will very largely also cover the appreciation in value which has taken place in urban areas. An amendment to give effect to this principle will be moved by my honourable friend, Mr. Manu Subedar, which Government will be prepared to accept.

Sir, I should make it clear that while this Bill was before the House, Government did not wish to take advantage of the existing provisions of the Ordinance to which exception was taken by the Select Committee. Therefore, as soon as the report of the Select Committee was received by Government, they issued Executive instructions to Provincial Governments and to other Departments of the Central Government to the effect that they should not resort to the proceedings of acquisition under the Ordinance under paragraph (c) of sub-clause 3 of clause 5. They also issued instructions that while in urgent cases notice of acquisition might be issued they made it explicitly clear that the compensation which would be given in respect of land which is now proposed to be acquired will be on the basis which will be settled by this House in the course of the discussion on this Bill.

Now I shall indicate briefly the progress in de-requisitioning buildings and lands. The total number of derequisitioned properties were: buildings 6,522 and lands 5,161. Up to the end of January 1947, 5,192 buildings and 1,847 lands were derequisitioned, giving a percentage of 79 and 36 respectively.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau. Indian Commerce): Can the Honourable Member give us the finance involved in the release, because the original finance was Rs. 9 crores a year, and I want to know.....

Mr. G. S. Bhalja: I am coming to that, Sir, I have received the latest information which, though not complete, shows that the derequisition improved further on the 28th February 1947. The number of buildings and lands derequisitioned was 5,461 and 2,111 respectively, the percentage being 82 and 41 respectively. As regards the rent, the point raised by my honourable friend, Mr. Manu Subedar, the position is somewhat like this. The estimated annual rent payable on the total number of requisitioned properties was Rs. 161 lakhs on buildings and Rs. 3,54 lakhs on lands. The amount of rent payable on properties still under requisition on the 31st January 1947 has come down to Rs. 50 lakhs on buildings and 2,69 lakhs on lands, giving a percentage of 31 and 77 respectively.

In the course of the first reading of the Bill, several Honourable Members made suggestions that Boards should be established to consider the question of continuance of requisitioned properties and acquisition of requisitioned properties. Government have given effect to this suggestion by establishing advisory boards of officials and non-officials at certain important centres to advise Government on all questions arising out of the continued possession by them of requisitioned lands and acquisition of requisitioned lands. The Boards at Bombay and Calcutta consist of the Secretary, Defence Department or his representative as Chairman, four official members and four non-official members, the latter being two Members of this Honourable House, one Member of the Council of State and one non-official member nominated by the Provincial Government concerned. The Board at Delhi consists of the Secretary, Works, Mines and Power Department as Chairman, three official members and four non-official members, the latter being one member of this Assembly, one member of the Council of State and the two Presidents of the Delhi and New Delhi Municipal Committees. The Board at Chittagong has also been recently established. The President is the Commissioner of the Chittagong Division, and the members are the Revenue Secretary or his representative, the Major General Administration Eastern Command, or his representative, the Deputy Director of Lands, Hirings and Disposals Service, the local member of this House and the Presidents of the Chittagong Municipal Committee and the Chittagong District Board. A similar Board is in the process of being constituted at Dibrugarh. These Boards, particularly those in Calcutta, Bombay and Delhi, have already started functioning and rendered useful advice to Government. The Calcutta and Bombay Boards have met twice and have gone into great details over the various properties which are still being continued in possession of the Central Government Departments and the Provincial Government. The Delhi Board has also already met, and if necessary my friend, the Secretary of the Works, Mines and Power Department is here to answer questions in connection with the deliberations of that Board. Now that advisory boards have been established in important centres.....

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural):
What about the rural areas?

Mr. G. S. Bhalja: the Boards could consider any complaints, with reference to the respective rural areas concerned.

I need not go into the merits of the individual cases which were raised on the floor of the House. I shall only refer to one or two cases which were prominently mentioned. My honourable friend, Mr. C. P. Lawson, mentioned the case of flat No. 11/1, Burdwan Road at Calcutta. The tenant of this flat was an officer of the Bengal and Assam Railway and continued to be in occupation under the authority of the Works Mines and Power Department. The question of railway officers occupying requisitioned houses in Calcutta was discussed at the Calcutta Advisory Board meeting held on the 27th January, and the Committee recommended that all properties occupied by railway officers should be derequisitioned. Government have accordingly issued instructions that as far as possible the properties which are in occupation of the railway department or any other department of the Central Government, except of course the Defence Department, will be derequisitioned within the next six months. More than one Honourable Member referred to the Madh Island and the hardships caused to its residents. The position is this. A considerable portion of this Island has been occupied by the Combined Operations Establishment. The question of the post-war location of this establishment was taken up with the Government of Bombay last year and a decision was reached that the requisitioned land should continue to be under the Defence Department for a period of three years, pending a decision about the post-war location of the

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establishment. The whole question has again been examined and it has been agreed that the Madh village should be handed back to the Bombay Government for occupation but not derequisitioned—subject to the following conditions:

(a) Access to the village from the ferry to be along the direct route. In no circumstances will the villagers be permitted to pass the military camp area which is situated near by.

(b) A small area of paddy fields to the south of the village will remain within the military camp area, though the produce on this land will be handed over to the civil authorities.

(c) The beaches within the present wire fences will be kept exclusively for military use.

There are certain minor conditions with which I need not trouble the House.

My Honourable friend Dr. Deshmukh, who is absent to-day, raised the question of derequisitioning properties belonging to corporations and public bodies. Government have issued orders that, as in the case of educational institutions, priority should be given to corporations and public bodies in the matter of releases. Government have asked for a report from the Commandants on properties requisitioned from corporations and public bodies, which are still in the occupation of the armed forces personnel and will pass orders on individual cases on receipt of the reports.

I hope, Sir, this will satisfy this Honourable House that Government, are anxious to derequisition properties held by them as rapidly as possible, that they have met the wishes of the Honourable Members to the extent it was possible and that they have also accepted, at any rate in principle, the recommendations made by the Select Committee. Sir, I move.

Mr. President: Motion moved:

"That the Bill to provide for the continuance of certain emergency powers in relation to requisition land, as reported by the Select Committee, be taken into consideration."

Mr. Manu Subedar: Sir, the Defence Secretary has, as usual, tried to make the best of a bad case. On no issue has public feeling been roused so high and the echoes of that have been heard in this House over and over again from every quarter of the House and every party as on the question of the requisitioning by Government and the hardships arising therefrom. While we appreciate that a certain amount of reduction has been done, I must accuse and keep on accusing the Defence Department of slovenliness, lousiness and in stronger words if you like, scandalous neglect. It is the same order of neglect which has prevented the demobilisation to come up to the same degree and according to the proposed plan. Now in the third year of the plan we are told that the army is still spending as much as 3½ crores a year on properties which they requisitioned and which they still have not been able to derequisition inspite of very elaborate staff, some of which they brought over from England for this purpose.

Now, Sir, this Department has been spending one lakh of rupees per day in the peace period by keeping on occupying properties which they had taken over from private individuals. They do not seem to realise the effect of it and very rightly the members of the Select Committee, all of them, took what the Department deserved, *viz.*, a very strong line on the subject.

Apart from these delays in derequisitioning at the cost of public finance so much needed for other purposes, Sir, this Department came round with a proposal that whatever was requisitioned at sometime in the past should be acquired by Government at the value which existed at that time in the past. My Honourable friend, Sir, instead of leaving it to me to explain the amendment which I am going to move on the subject, has glossed over the position

of Government. But what was the position of Government in the Bill as it went to the Select Committee? It was that they would acquire the property of a man which they had requisitioned at the value on the date on which such requisitioning took place under the ordinary process of the Land Acquisition Act, *viz.*, the original value *plus* 15 per cent.

Let me mention, both from experience and from very close observation, the manner in which this requisitioning was done. My own land was taken by Government all of a sudden without any intimation to me and after two months I received a communication as to whether I am willing to give this land to Government which they wanted. But it was already in their occupation. Meanwhile they had dug it up and done all sorts of other things. Then, Sir, comes the process of fixing what is the reasonable rent on it. On this a brown piece of paper, hardly legible is sent to the party concerned and he is informed that the rent for this property is being fixed by Government and if he wishes to attend the meeting he may do so. In other words a perfectly arbitrary procedure was adopted. There was the Defence of India Act and the Ordinances and the war atmosphere was hanging heavy. But nobody tried ever to resist or to get Government to a reasonable frame of mind. Nobody enquired, no civil party, at all events had been given any justification for the numerous properties which they took. Sir, so fond are the members of the Defence Department, so high and mighty they think themselves that nothing but the best is good for them. Their offices must be right on the Hornby Road in Bombay, which is the most expensive place. Their houses must be on the Malabar Hill or on the Marine Drive, the most expensive quarters. Their stores must remain on pieces of land

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadam Rural): Why should the rich be always there on the Malabar Hill: why not the poor as well?

Mr. Manu Subedar: The rich can be asked to vacate if wanted and the white officers of the Defence Department, if Government liked, may be located there. But merely in order to put loose stores, lands worth many lakhs of rupees were taken over and thousands of rupees were paid as rent on them. Perhaps I need not go into all this. But this particular Bill is the successor of the laws under which all this was done in the past. It was done in a wasteful manner: it was done with the maximum inconvenience to the civil population and it has continued in the third year after the war and according to the figures given by my Honourable friend an expense of no less than three crores and twenty lakhs is being incurred on this account.

The Government's position in the Bill as originally introduced was that they not only did the owner of the property out of the use of it for many years and as I said the allegation is not from one quarter only but from so many quarters that on the whole those whose properties were taken over were not paid adequately. It is true that some people did get paid adequately and perhaps even more and that is a pointer to the large amount of corruption which exists in the department. Therefore I say that the administration of this particular section deserves severe condemnation from every side of this House and it was in this frame of mind that we examined the original position of Government, *viz.*, that not only the owner was done out of the use of his property for six years but that if Government now want to take it over, it will take it at its old value, at the time it was taken over.

The Honourable Defence Secretary did not tell us here what information he gave us elsewhere and that is the most relevant information on which we all felt that there was only one solution. That was that over 80 per cent. of these requisitioned lands and properties belong to the agriculturists. Take the position of the agriculturist who one fine morning finds—he is unable to read, again due to the failure of this Government to make him

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literate—a lot of uniformed persons coming and trampling over his field and throwing him out. He does not understand. Ultimately, by the usual processes but after a lot of heartburning he comes to realise that his piece of land is required by Government for the purposes of the war. That land is taken from him and Government do various things with it, and now when he is to get back his piece of land Government offer him a price. What price? The price which existed in 1939, 1940 or 1941. With that money in his pocket if this man went about to purchase a land corresponding to what he had before he would not be able to buy even one-third or half of the area which he had. In other words, without any fault of his own, this poor man was going to be reduced in his subsistence, in his capital and in his sources of income on which his family was sustained very substantially, and this Government had no conscience when they made such a proposition. Sir, every section of this House, and representatives of every party felt that in its application this was the most inequitable rule by which Government wanted these lands. And what was, Sir, the justification of Government? It would cost too much. That was the justification. Are not so many other actions of this very Army costing this Government very heavily?

Mr. G. S. Bhalja: May I interrupt my honourable friend for one second? In view of the fact that Government have decided to accept the amendment which stands in the name of my honourable friend is it necessary for him to go into the past history?

Mr. Manu Subedar: I am just explaining how this amendment came about.

Sjt. N. V. Gadgil: The House has to accept the amendment.

Mr. Manu Subedar: That is another point. There is the Select Committee's Report which we have all signed. The amendment needs an explanation which I am giving. I quite understand that the cap fits and my honourable friend is smarting under it.

The Indian Army today is a white elephant. It is costing excessively and there are various adjuncts to be cut off before you turn your eyes covetously on the land of the poor farmer you acquired. Equity requires that Government should pay adequately in these cases. In certain other cases where the land could be given back to the man we suggested 'give it back.' Where it cannot be given back we suggested, very rightly, 'give him a corresponding piece of land so that he at least has land to land.' He is not profiteering from Government. My honourable friend used the word profiteering. When you give a man a piece of land, what he had before, he is not profiteering. It is you, it is the Government, Sir, who proposed profiteering when they proposed the payment on a reduced scale.

Then, Sir, we were told that it would cost an excessive amount of money. But it came out in the course of the discussions that on some of these properties Government had spent a lot of money and it was not possible for them to give back the lands to the owners. I am of opinion that in all cases where Government have spent money an opportunity must be given to the owner to acquire his old piece of land provided he was willing to pay them all that Government have spent on it at a reasonable figure. The position in many cases is that Government will take up these lands, pay for them and then they will re-sell the whole property. If Government are going to re-sell the whole property, when they will re-sell the whole property will they or will they not realise the enhanced valuation which has come about since the passage of years; and if they are going to recoup the bulk, all and more, of what they pay, is it reasonable that they should show a nice spirit in

the settlement of claims with, as I said, people of whom over 80 per cent. belong to the rural area? Sir, it is an issue in which rival considerations have to be balanced and some sort of rough and ready justice has to be made. It is on taking into account all issues that we feel that the position would be reasonably corrected if the spirit of the amendment which I am going to move were adopted by this House.

In the amendment, as the Defence Secretary pointed out, what is offered is not today's value. The principle in this amendment is that Government will now pay the value prevailing on the date on which they decided acquisition. What is important in such cases, and the Honourable the Law Member will bear me out, is the intention, namely, on which date and from what time have Government decided to *acquire* the property which they originally took merely for *use*. There is a great distinction between taking a thing for hire and taking it for use. A man might have taken a bicycle for hire. He might have paid Re. 1 a day or whatever it is. But then suddenly it might have come to his mind that he should acquire it. If he walked away with it we know what will happen to him. Sir, the intention to take a thing for use and the intention to take it permanently and finally are two different things. I am sorry it was the intention of Government originally to say 'Oh, when we requisitioned acquisition is involved in it'. I submit with all respect that it is not involved in it. And because it is not, therefore we feel that it would not be fair to pay the valuation as on the date when the original requisition took place. Apart from this prices have risen in this country as a result of Government's own printing press activities and inflation. Is it fair that the owner of a piece of land should be made to suffer because inflation has arisen through no fault of his own?

Then it was said 'why should he benefit from the improvements of roads and various other things which may have been made by Government? But have Government been able to take away the benefit of roads which they might have constructed through the whole territory through which such road is passing? Have not other people's lands improved in value? If that is so why do you pick out the few unfortunates who had the misfortune to be picked out by your officers when they visited to select a piece of land for an aerodrome or for some other purpose? Therefore, what we felt was that in all cases, wherever it is possible the man should get a like piece of land so that he may cultivate it and bless this Government and not perpetually curse it as having deprived him of his land. It is a capital deprivation to a poor man which we did not want. Therefore we have to balance considerations of justice on the one side and of public finance and convenience on the other.

Then there is another point on which I feel dissatisfied with the Defence Department. They have not made up their mind. They have requisitioned and they go on paying these monthly charges at the rate of Rs. 25 lakhs a month, or Rs. 1 lakh a day. They go on paying these charges and they are still waiting to see until some Committee report some time and Government take their decision on it on the size of the Army or whatever it is. Until all that is done these people must wait, whether they are under requisition or acquisition they may not know. I say this is not fair to those parties and also to public finance, and I trust Government will take their decisions quickly and that they will release as many of the properties and as quickly as possible, because it is possible for Government, if they so decide later to acquire it again and to do something. But it is not right that you should keep people in suspense any longer after the third year of war.

Then, Sir, the question is what would be a fair limitation without doing serious harm to the party, because any rule which may be adopted under such circumstances is not likely to fit all cases. An extreme case on one side

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could be produced where the value has gone up four times. An extreme case on the other side may be produced where the values may not have gone up and for some local reasons values may have been actually slumped. The position may be different but an average is always a distasteful thing to some people. It only serves the normal case and for the normal case I think the ends of justice would be met if 100 per cent. over the value on the date when the first requisition was made were given. According to the Government's original scheme it would be the original value plus 15 per cent. According to us, according to the new amendment which I shall move when the time comes, the position will be that the man will get the original date value and 100 per cent but he will be limited to that and he will not get anything more than that. Therefore I say that there is a large issue of public policy and justice involved in this and inspite of the fact that what we are ultimately doing may appear like rough and ready justice. I do think that this House must take the various points which I mentioned into consideration. This House must indicate in very strong terms that there shall not be any further delays in arriving at decisions, that the settlement will not be put off and that generally all the hardships which are associated with and which were experienced by the civil population during the period of the war at the hands of the Defence Department will not recur in this settlement. Sir, I support the motion generally and I reserve to myself the right of moving my amendment when the occasion comes.

Mr. Sasanka Sekhar Sanyal: I must say that today the Bill comes with a better claim for recognition in this House than it was entitled to when it was brought up at the last session. By the question of appointing an advisory committee, the Government's *bona fides* as to their intention in regard to keeping in their possession the vast number of properties which were in requisition only in exceptional cases has been tested. I must frankly admit that the derequisitioning boards which have been set up and which are functioning have well begun their work and the Department has shown considerable responsiveness in the matter of public demands. Last session, when the matter came out from the Select Committee, Government could not make up their mind whether such a board would be advisable or necessary and I hope my friend will not take me amiss when I say that at that time the Defence Department could not make up its mind to shed its bureaucratic trail and later on they certainly fell in line with the popular demand and I take this opportunity of expressing my deep appreciation of the way in which the officials in these derequisitioning boards have tried to accommodate the demand of the public. So far as the Calcutta Board is concerned, I have personal knowledge and authority to say that the Government is not keeping in requisition any property which it is possible for them to release. The Board which was established in Bengal was the Calcutta Board and only those properties were brought under the jurisdiction of this Board which were in Calcutta or the adjoining portions of Hoogly and Howrah. The department has declared today that they are going to set up another Board, the Chittagong Board. As far as my information goes, that Board will have jurisdiction to deal with some areas which were considered military areas in Chittagong and the outlying places. Between the Calcutta Board on the one hand and Chittagong Board on the other, there will be large rural tracts in which thousands and thousands of properties are still under requisition, in which acquisition proceedings have been started and I do not know how they are standing now in the eye of the law within the ambit of the ordinance. Either a third board has to be established for the rural areas (and this will apply also to Bombay and other provinces) or the jurisdiction of these two Boards at Calcutta and Chittagong will have to be so extended as to enable all the parties to get the advice.

In reply to a question put by Prof. Ranga, my friend Mr. Bhalja said that it is open to any party to complain. That shows good intention but many people do not know that they have to complain and they do not know to whom to complain. For instance take the Calcutta Board. You know and the House knows that several thousands of people in Calcutta are interested in getting their properties released. After the first meeting was held and before the second meeting was held, there were very few applications asking for release. That is because they were not given to understand that they had to put up their case. They thought that Government, *suo moto*, will deal with the question and then arrive at a decision in their wisdom.

Without meaning to disclose the discussion at the second meeting, I may say that it was considered advisable that some steps should be taken to invite applications by way of complaint. As a result of that, several hundreds of applications have already arrived in the department. By the time that the next meeting takes place on the 27th April, the committee will have to deal with applications which may run into four digits. If this is true of Calcutta where the people are educated and know that they can complain, how much more true is this in the case of rural areas, where people do not know that they can complain at all and if they can do so, to which quarter the complaints should be sent in order to bring relief. I hope my Honourable friend the Defence Secretary will consider that question.

So far as the Delhi Board is concerned, I think the member representing that Board will be able to speak with greater authority but my information is that things have not progressed very much. As a matter of fact, Delhi is very guilty in the matter of keeping on to requisition. A large number of houses which were originally occupied by the American forces are now vacant. They are not used by Government in the Civil Department or by the civil population for their needs. I would like to know what has been done by the Department to make these properties available for civilian habitation. If Delhi goes ahead and recovers possession of those properties which were taken by the Military authorities and which are no longer in their occupation, then I submit to that extent the need for continuing requisition of other properties will be reduced and this will have an important bearing on the question of permanent acquisition, because if you have got some palatial buildings which you can put to your own use, then the need to hold on to requisition and for acquisition will be reduced to that extent.

Now, Sir, in the matter of this acquisition, I wish to make a few more remarks. Is it possible for the Honourable the Defence Secretary or for the Government to consider the question of bringing these acquisition cases also within the purview of the advice of the Boards which have been set up? After all, it is both his case and my case that the setting up of the Advisory Board has been a step in the right direction and many a misunderstanding and points of difference between the Department and the non-official feeling may have been resolved by discussion across the table. So, if such a Board or a similar Board can go into the question of the necessity of acquisition, then, to that extent, the Government will get strengthened and many a case will come up which, by exchange of ideas across the table, might have been left out of the purview of the resolution. After all, acquisition is not a very normal proceeding. It means heavy cost to the Government and it means also some inconvenience to the party, including a question of sentiment also. After all, when a party sets up a building, it retains it for its own personal and private use. If he is told that he will be given some compensation, that does not answer the whole point. When he built the house, he had no idea of parting with it even for a fancy price. If this Advisory Board is asked to go into the question of the necessity of this

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acquisition, then I submit that the good work which has been started by the Department will continue and they will have its inevitable good effect.

Then, there is one other small matter to which I would like to make a reference. The basis of the compensation which is now proposed by the Department in response to the amendment which has been proposed by my Honourable friend, Mr Manu Subedar is a very good basis so far as it goes. But, I believe, my Honourable friend knows that there are many cases in which acquisitions have already started. The proceedings are in progress and in some cases decisions have been made on the basis of Ordinance, which, incidentally, was a decision on the basis which was furnished by section 19 of the Defence of India Rules. That basis is very different from the basis which will be furnished by the present Act. So, why is it necessary to deprive those parties who have not yet got their compensation but in respect of whom compensation has been decided on the old basis? If this compensation was paid on the basis of the present Act, they would get a little more. I would, therefore, request the Honourable Member to consider this question, namely, to extend the advantages of the basis of acquisition which is proposed in this Act to those parties whose properties have practically been acquired but to whom compensation has not been paid. This will look a very generous gesture and it will bring in very generous appreciation on the part of the people. Sir, I hope my Honourable friend will give his consideration to these humble proposals and see his way to accepting the substance of these requests.

Mr. C. P. Lawson (Bengal: European): Sir, I have only a very few remarks to make and I will not keep the House very long. I feel a little sorry for the Honourable Member opposite because in receiving the slings and arrows of this House he carries upon his shoulders not only the sins of the Defence Department but the sins of other Departments too. The other Departments are frequently as much—sometimes considerably more—to blame than the Defence Department for the delays that have taken place. But, Sir, when I moved the original motion to refer this Bill to Select Committee, there was one fear in my mind and that fear to some extent still remains. My whole point in speaking just now is that I hope the Honourable the Defence Secretary may be able on the floor of this House to make a statement which will make us feel rather more satisfied with the passage of this Bill and its final placing on the statute-book.

Sir, the trouble about this Bill, as far as I was concerned at any rate, was this that as long as these powers remained, it was easier to keep requisitioned property than to look round for some permanent home for people. Moreover, the power of acquisition given by this Bill made it easier for Government to acquire requisitioned property than to construct buildings for their own needs. The proper process at the end of the war was undoubtedly to return requisitioned property to its original owners. Then, Sir, there would be no question about compensation for acquisition and so on and so forth. That would have been the proper course. I admit that in certain cases that cannot be done and I also admit that in certain cases it may be necessary to acquire property. But when I spoke regarding this matter before, I asked the Honourable the Defence Secretary whether it was not a fact that his predecessor had, at any rate, indicated an approximate date by which all this work would be finished. At the time, the Honourable Member replied that he was not aware of any such undertaking. I admit, there was no undertaking. But the Honourable Member's predecessor did fix a target, and I think I am right in saying that his target was the end of 1946. Now, I am going to ask the Honourable Member himself to fix a target. Although he might fall short of his intentions, I see no harm in indicating to this House

a date by which the Honourable Member hopes to get all these requisitioning matters cleared up. By that date, all the acquisitioning, if it is to take place, should have taken place and by that date every requisitioned property should be returned to its owners. If that is not done, I am very much afraid that since neither the Honourable Member himself nor even the Central Government of this country can control the activities of petty officials in the various parts of the country, I do not think it will be possible, even with these Requisitioning Boards working, to be quite certain that a property is not being retained, merely because it is much easier to retain that property than to find somewhere else to go. It was from that point of view that I asked various questions about vacant camps and vacant sites in this country. It will not be possible for the Requisitioning Board in Calcutta, to which my Honourable friend Mr. Sanyal has referred, to know whether there are sites in other places to which the occupants of requisitioned property could be moved. So, for that reason I am particularly anxious that a date should be fixed finally as a target.

As regards the acquisition of property, the same thing applies. Government can get what building materials they want. They have the powers to get the stuff to the place where they want it. They have got powers to arrange that and they can get priorities on the railways. The people who cannot do this are the civilians, the real owners, of the property that might be acquired. Now, Sir, it is a lot of trouble to get materials to build new property. But Government can do it, while the civilians cannot. For that reason I still do not look with favour upon the acquisition of property. I do not want to delay the House, but my main point,—and I would stress it again—is that I hope the Honourable Member in his reply will if possible indicate the target date by which all these matters will be cleared up.

Pundit Thakur Das Bhargava (Ambala Division: non-Muhammadan): (The Honourable Member spoke in Hindustani. For Hindustani text see Appendix to the Debates for the 17th March 1947. English translation given below.)

Sir, I want to draw your attention to a few things. How will the provisions for permanent acquisition of land effect the future legislation and what will be our procedure? This is the problem requiring solution. I feel that there are certain provisions in the bill that has been introduced which are based neither on law nor on equity. First of all I draw your attention to the Land Acquisition Act, 1894. Its provisions have been recognized by all and since they have a universal application there is no need of going beyond them. Under this Act lands, houses and buildings are acquired both permanently and temporarily. For temporary acquisition provisions are given in sections 35 and 36. When passing Defence of India Act, 1939 Government formulated some principles in this respect. Before I draw your attention to the provisions of this bill I want to bring to your notice section 19 of the Defence of India Act which lays down the following direction for making an award by the arbitration.

"An arbitrator in making an award shall have regard to provisions of sub-section 1 of section 23 of the Land Acquisition Act, 1894, so far as the same can be made applicable."

If you read section 23, Sir, you will find that the first principle of the section is this:

"So far as the amount of compensation to be awarded is concerned, the Court shall take into consideration first the market value of the land at the date of the publication of the notification under section 4, sub-section 1."

Sir, there are certain other items in the section which, I do not think it necessary to read. A little further on there is another section which reads:

"In addition to market value of land a Court shall in every case award a sum of 15 per cent. on such market value in consideration of the compulsory nature of the acquisition."

Accordingly, in the light of the section of the Defence of India Act which has been referred to in sub-section 1 of section 6 it means that it has been

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laid down in the Defence of India Act, 1939 that the owner shall receive a compensation equal to the market value of the house or land to be acquired or requisitioned and the provisions of section 23 will be applied so far as they can be made applicable. With due deference I should say that the provisions of the 1939 Act were based on equity. They were right. It, undoubtedly, did not contain provisions for 15 per cent. compensation, but it was not so important as to result in an appreciable loss, because it is not applicable so far as land requisition is concerned. Requisitioned land after five or six years is not compensated for compulsory acquisition.

This law was in force from 1939 up to 11th December 1945. Then Ordinance No. 19 of 1946 was issued. An amendment was introduced in it laying down that in future for requisitioned lands market value at the time when the requisition was made will be given. This amendment was made on 11th December 1945.

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

The Assembly reassembled after lunch at half past two of the clock, Mr. President (the Honourable Mr. G. V. Mavalankar) in the chair.

Pundit Thakur Das Bhargava: Sir, I was saying that the changes made in the law during the last five or six years and the way in which they were made are surprising. I said that the provisions of the Defence of India Act passed in 1939 were good and nobody had any legal complaint against them except that the 15 per cent. compensation provision was not there, all its other provisions were very good. It was in force up to the 11th December 1945. Nobody complained about lands acquired or requisitioned under that law. Then in September 1946 Ordinance No. 19 was enforced. This Ordinance remained in force for nine months from December 1945 to September 1946. Those were the most unlucky people the price of whose land was paid during this time. About 1st October 1946 this new bill was introduced. The Defence Secretary has just said that after the introduction of this bill he has not requisitioned any land under the provisions of the 1946 Ordinance. It means that since the beginning of the war that is from 1939 till now for five or six years good compensation was paid. Then changes were made under the Defence of India Act. The bill under discussion has been introduced in the time of the Interim Government. I thought the time for Ordinances was over but when this bill was introduced my astonishment knew no bounds when I found that this bill was a verbatim copy of the ordinance of the previous Government. When the bill went to the Select Committee every nerve was strained to make the members of the Select Committee honour the provision of the Ordinance No. 19 of 1946. But since they were unjust, wrong and hard the members could not accept them. Accordingly, majority of the members of the Select Committee after a long discussion with the Government decided that to pay market value at the time of the notification to the owners was a law which is morally and equitably right. I was glad that the Government had agreed to it but again I was astonished to hear that the Government accept the principle but since it increases the price of the land they do not want to pay higher price. But what I could not understand is how does increase in price make any difference in the application of a principle? Suppose, there are two persons living as neighbours possessing lands of the same type. If their lands were acquired you give one the price of his land according to the market value while to the other accepting the proposal of the Defence Secretary, half of the market value. May I ask, with due deference, what justification you have for your action? You say that the reports received

from the Provincial Governments show that the prices of land have risen from 25 to 150 per cent. and those of houses have increased from 100 to 500 per cent. You have listened to the speech of my learned friend Mr. Manu Subedar. I was thinking what strong proposal my friend would make which would save justice from being murdered. But after I had heard him I was reminded of an Urdu proverb which says: "My heart was making a hell of a clamour; but when it was opened only a drop of blood was found."

I was of opinion that our honourable member was rightly representing the public but I was sadly disillusioned when I saw the proposal laying down that either market value or 100 per cent. above the previous price, whichever is less, shall be given. Arguments advanced in its favour are such as no one will admit as correct. It is said that as 100 per cent average is applied the owner should accept the average as right. I would remind of the proverb which has been repeatedly said in this House: "Accounts are quite correct; why did the family drown?" Those whose property has been assessed at less than 100 per cent. they will apparently receive less compensation than those and consequently suffer no loss but those the price of whose houses and lands have increased from 400 to 500 per cent how will they be satisfied by 100 per cent? In my opinion this Act should be named "Requisitioned Land Expropriation Act." If a person sells his property at the old price plus 100 per cent compensation and goes to the market to purchase fresh property, he will get not more than half of his sold property. If this House passes a bill laying down that half portion of the property of every member of the Assembly shall be confiscated to the Government it will not be harder than the law laying that he owners of the requisitioned lands and houses shall not be given the market price now current, but the market price which was current when the property was requisitioned. Members of the Assembly are very patriotic. They may make and pass any law they desire regarding their own property but nobody has got the right to deprive a person, whose land has been acquired under a law which is universally current in the whole world and which was current in India barring a period of nine months, from receiving the current market value and force to take half or even less than half the current price of his property.

Sjt. N. V. Gadgil: If the prices fell after two or four years?

Pundit Thakur Das Bhargava: You have the power to acquire the land at any time during the four years. I will have no objection if you keep it in your possession for four years and then pay him the market value. This Act, however, does not stop here. Its basic principle is wrong. There is a great difference between acquisition and requisition. Acquisition is used when I need a thing and acquire it and requisition is used when I need a thing for a few days only. Properties requisitioned during the war were needed temporarily. May I ask, with due deference, now that the demobilization has been done on a large scale and the war has come to an end how has the need for things, which were required temporarily during war, increased? Now, it is said that the properties which were to be acquired have been acquired. I congratulate the Defence Secretary who has agreed to eliminate the proposed provisions with respect to acquisition from the present Act. In future properties will be acquired under the 1894 Act which is a common Act in India. This present act is being enacted for the purpose of acquiring some of the properties which have already been requisitioned. I submit that there are three grounds for it.

In sub-section 1 of section 5 you will find that the property whose price has increased shall be liable to acquisition. In order to improve a property it is laid down that either a road is made or the land is levelled or a building is erected on it which has increased its price. This also comes under

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the definition of work. Government wants to acquire the title to such properties as their value has been raised. If property is to be acquired on this ground it would mean in simple language that it is due to mere greed that we want to have the property because we have improved it although in reality we have no need for it.

The second ground given for provisions of part (b) is that to return the requisitioned properties in the condition in which they were taken would entail a great expenditure. To save this it is thought proper not to return the properties. Well, if a person comes under clause (b) and it needs some expenditure which you are not prepared to give. If he says "I don't want any expenses." What excuse have you got for not returning his property?.

(Interruption)

Sir, he will not be given. The case came up in the Select Committee and I know that they are not prepared to return such property also. Although they do not need it but because the value has increased they are moved by greed. If a person is prepared to pay what has been spent on the property even then the Government is not prepared to return it. What right or title the Government have to keep forcibly a property for which the owner is prepared to pay total and partial expenditure incurred by the Government? With due deference I should say that in both the cases the Government should return the property. Mr. Gadgil says that he will be offered and he will be paid his expenses. I say that you are closing the doors of an offer because you say that you will pay the old price and not the price which is 400 to 500 per cent of the old one. When you are giving authority to the Government to acquire property on cheaper value than the present market value who will be such a fool as not to acquire the property which has increased in value, at cheaper rates. When it has been made possible for the Government to acquire land at cheaper rate than the present market value how can it be that the Government would not acquire properties which it does not require at all? May I ask if the Government wants to sell these properties, will it sell them on the price plus 100 per cent on which it has acquired them? Do the Improvement Trust, Delhi sell lands on 1939 prices? It will certainly charge the market value. It is said that its reason might be that they have been realizing its profit for such a long time but it is the legal duty of the Government to return the land to the person from whom it was acquired. No one else has any right to it. What have those unfortunate persons whose lands have been acquired done that the Government is so hard upon them? If their properties are to be acquired they should receive a price with which they can purchase similar properties elsewhere. So far as principle is concerned it is not convincing to say that they should be paid less because Government will have to pay 20 crores of rupees. The Honourable Member Mr. Manu Subedar has said that the Military Department spends a lot of money; 20 crores of rupees is nothing to them. It is therefore not proper that the Government should practise injustice and break the principle by passing a law which will inflict loss on the people.

You know that the Capital Gains Bill has recently been introduced in this Assembly. Under it the price of the land in 1939 will be taken as its original Cost. On this basis whatever more money will be given it will be taxed. Regarding tax you know that a person who earns one lakh of rupees pays Rs. 62,500 as tax. If the Military Department of the Government pays the Finance Department of the Government realize it in the form of tax. Government have power to impose 100 per cent tax. It is said when the Government was in need it acquired the land; now when it has no need why then this sweet murder of the people? You want to get this bill passed by the House. There is no legal necessity for it. The Government has no defence against the charge that the Government has no right to get it passed

by the House. But if the House wants to pass, it has power to do so. At least there is no doubt that there is no moral justification for the agreement proposed by Mr. Manu Subedar. Others may bow before it under sheer force but I fail to understand any principle of the agreement.

I have to submit two or three more things. In the present Act wherever it has exceeded the 1894 act there the wrong way has been adopted. I should draw your attention to its Section 3. It gives power for the future also. The Government is empowered to acquire whosever's property it wants to acquire and use it as it pleases. Of course later on the plea that works have been made there will be made. Section 5 says that acquisition will be used only in case when it is compulsory or where the Government will have to spend more on its return. It appears from this that in future also such things will be brought up as will make the return of the property difficult. I will submit with due deference that by passing this bill you will give by your action legal permission to the Government to furnish itself with an instrument which will make the return of the property difficult. You say that in the other case the Government will have to pay to the owner 100 per cent. more price. I submit that under sections 35 and 36 of the Land Acquisition Act 1894 no person has got the right to use the acquired property in a manner which will make it unfit for return to the owner. This provision does not belong only to the Land Acquisition Act. It is found in the Tenancy Act also that the property will be used for the purpose for which it was given and it will not be used in a manner that will make it unfit for the owner to use it as he used it when it was acquired. In case of illegal use the owner was entitled to demand 15 per cent of the value as compensation. I therefore submit that provisions should be made disallowing the Government to change the original condition of the property.

In addition, I want to draw your attention to another thing. It is the duty of the Government to return the property to the person from whom it was acquired. To give the possession of the property to the person from whom it was taken. The Government should have no right to return it to whomsoever it desires after a names' sake inquiry. Action should not be based on inquiry alone. It cannot be ascertained whether the inquiries conducted by Government officials were really correct or based on truth. The legal responsibility of the Government official is not personal but in the Land Acquisition Act the responsibility is personal. Under it proceedings can be instituted after giving notice. By this Ordinance officers are protected from legal consequences. I have given notice of an amendment suggesting that the property should be returned to the person from whom it was acquired and if he is dead, then to the person who can legally claim it.

There is another section which lays down that Government will give notice for the return of the land after which Government will not be responsible whether the owner or the entitled person takes possession or not. I should say that this is neither a good provision nor is it based on equity. Suppose the Government gives notice that the house will be vacated on the 25th July but the owner of the house is away in Calcutta at that time and knows nothing about the notice. Now if a person without any title takes possession of the house what remedy is there against him? Therefore, after fixing the date notice should be given in such a manner that the entitled person takes possession of the property. There is another thing worthy of notice. Ever since the Government have begun enacting new acts instead of ordinances I find that no other punishment except imprisonment is laid down. In the present bill also a section lays down, that if an owner of the land does not give information when demanded he will be punished with imprisonment for one year. If, however you see the Land Acquisition Act you will find this provision only in Section 10 that it is the duty of the owner to supply information when demanded from him

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but in case of non-compliance proceedings will be instituted against him under sections 175 and 176 of the Indian Penal Code which provides very light punishment. Government have acquired the house, if the owner of the house does not supply some information where is the Government's loss? If price is reduced it is the owner's loss. I should say that to deprive a person of his property or to inflict upon him loss under cover of law is not good. It is injustice and against the public policy. It should be amended to satisfy the provision of Section 10. In the end I submit that in my opinion that this bill should pass in the form which has been agreed to by the majority in the Select Committee. Government should acquire as little as possible because requisition means that they did not need it. Until it is urgently needed no acquisition must be made. Justice has not been meted out to the persons whose property has been acquired—nay rather sheer injustice has been done to them.

Mr. B. K. Gokhale (Government of India : Nominated Official): Sir, I would like to take this opportunity to state a few facts and clear up, if I may, certain misunderstandings about civil requisitioning. Before I proceed, let me make it absolutely clear that I am not dealing with any of the requisitions made by the Defence Department. I am only dealing with requisitions made on behalf of the civil departments of Government. The Department of Works, Mines and Power, which I represent in this House, of course, has certain requisitions to its credit but they constitute only a very small portion of the total civil requisitions. But this department is a service department and, as such, we are responsible for providing accommodation for all the civil departments of Government; and that is how I come here to represent civil requisitions on behalf of Government.

Before I proceed, let me try and explain the nature and size of the problem with which Government were faced on the outbreak of war. Taking Delhi for instance, the total office accommodation occupied by all Central Government Departments in 1939 was of the order of 6½ lakhs square feet. The total number of officers was 531 and the total number of clerks was 4,631 and that of inferior servants was 3,198. During these seven years of war, the office accommodation increased from 6½ lakhs square feet to 27½ lakh square feet, or an increase of 4½ times or 450 per cent. The number of officers increased by 250 per cent. the number of clerks increased by 600 per cent. and the number of inferior servants increased by 600 per cent. That shows the tremendous size of the problem with which Government were faced. It was quite obvious that a Service Department could not come up and say that the Government should not expand its activities and should not tackle all the various problems which arise in war time—complicated problems of defence, of new controls which were imposed—simply because no accommodation was available. Accommodation had therefore to be found by hook or by crook. The problem was tackled mainly by new construction. The total amount of new construction of a permanent or semi-permanent nature in Delhi was of the order of 14½ lakhs square feet against 6½ lakhs square feet, which was all the accommodation available with Government at the outbreak of the war. Apart from this Government constructed mostly temporary or semi-permanent accommodation for over 10,000 personnel. That in

3 P M. itself was a tremendous contribution in the way of new construction. Over and above this a number of Princely houses, 19 in number, were obtained on loan. Certain offices were moved from Delhi to Simla. The scales of accommodation were severely cut down. Houses were split up into flats; a number of people took in paying guests. Boarding houses or hostels were set up. In all these ways most of the problem was tackled, that is by means otherwise than by requisitioning. Requisitioning was undertaken only as a last resort and absolutely to the bare minimum.

I would now like to give the figures of requisitioning, firstly in Delhi, because I think that is where the target of attack is most. Then I will deal with Bombay

and Calcutta. The total number of premises requisitioned in Delhi by the Government of India was 366 and by the Chief Commissioner 147 or a total of 513 houses. Out of these 85 houses have already been derequisitioned by the Government of India and 57 by the Chief Commissioner or a total of 142 houses leaving at present still under requisition 281 houses by the Government of India and 90 houses by the Chief Commissioner or a total of 371 houses.

In Calcutta and Bombay the problem was of a very similar nature, though not of the same magnitude. There a large number of new offices had to be established, chiefly relating to the Income-tax, Commerce Department, Industries and Supplies and so on. There again the problem was tackled as far as possible by means other than requisitioning. The number of houses requisitioned in Calcutta was 83 of which 23 have been derequisitioned, leaving a total of 60 houses at present under requisition. Similarly in Bombay 115 houses were requisitioned out of which five were derequisitioned, leaving a balance of 110 under requisition.

Sir Cowasjee Jehangir (Nominated Non-Official): What does the Honourable Member mean by houses?

Mr. B. K. Gokhale: A house means one complete unit. It may consist of a number of flats. I will give the number of flats later on if the Honourable Member so desires.

In Simla we had 97 houses under requisition all of which have since been derequisitioned. The problem we are faced with in Delhi today is only a matter of 371 houses which are under requisition

Sir Cowasjee Jehangir: Would the Honourable Member mention as far as Bombay is concerned the number of flats that he has requisitioned in a house, not a whole house but certain number of flats in a house. How many did they amount to?

Mr. B. K. Gokhale: I have not got the exact figures but the 110 houses which are under requisition—house 157 officers or so. That is my recollection.

Sir Cowasjee Jehangir: What is the number of flats? In some houses Government requisitioned only one flat out of ten, in some others they have requisitioned three flats out of six. This also must be added to the number which the Honourable Member gives.

Mr. B. K. Gokhale: The total number of flats is 157, whether it is one out of ten or three out of three. 157 is the figure as far as I recollect, though I am not quite sure. It is not anything substantially more than that.

Sir Cowasjee Jehangir: The Honourable Member mentioned houses and that is why I raised this point.

Mr. B. K. Gokhale: The number of houses requisitioned is 110 and the number of flats is about 157 or so.

The first point which I would like to make is that the progress of derequisitioning is slow, mainly because requisitioning itself was undertaken on a very modest scale to begin with. Recently I had occasion to speak to an officer of the Ministry of Works from the United Kingdom and he told me that about 20 per cent. of all the housing and residential accommodation in the United Kingdom was under Government requisition. Of course I am not comparing the United Kingdom with India. Conditions were different but I would like to impress on the Honourable Members this fact that derequisitioning is slow, chiefly because requisitioning itself was very moderate and limited to the very bare necessities.

I will now come to the question of derequisitioning. Ever since the war was over, Government have been only too anxious to derequisition and I can assure Honourable Members that each application for derequisitioning houses, whether it is in Delhi, Bombay or Calcutta, receives the personal attention of the Honourable Member in charge of the Works, Mines and Power Department. The Honourable Member in charge looks into every single case of derequisitioning and tries to do his best as far as possible. But, Sir, our difficulty has been that although the war is over, we have been faced with a number of new problems.

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For instance, we were called upon to provide a large amount of accommodation for the Constituent Assembly. That means living accommodation for about 200 to 400 people and that was this year. Then a large number of meetings and conferences have been held this year and at very short notice we are called upon to provide accommodation, whether it is for the Science Congress or whether it is in connection with any other conference. Now we are going to have at the end of this month the Inter Asian Relations Conference. These demands which have been on a large and increasing scale have hampered us to a very large extent.

Over and above this, we have got very large demands from foreign embassies and legations and from High Commissioners. The house which was occupied by my predecessor Sir Henry Prior has now been given to the High Commissioner for the United Kingdom. His staff is increasing at a very rapid rate and we are finding it very very difficult to find accommodation for him. Last week I was suddenly asked to find accommodation for six members of the French Embassy or Charge-de-Affaires. They suddenly landed in Delhi and we were called upon to find accommodation for them. During the next 12 months, I am told that there will be many new embassies and legations coming to Delhi. Government cannot tell all these foreign countries not to open their embassies or legations in Delhi simply because we have got no accommodation. That, Sir, is the main difficulty, that instead of the demand for accommodation since the end of the war being reduced, the demand for accommodation has been constantly on the increase.

We are told that because of the demobilisation of the forces there will be a large amount of accommodation vacant. There the difficulty is that for one European officer who is demobilised, who was willing to stay in a hostel in one single room, we find that as soon as he is demobilised, his place is taken by an Indian officer, who promptly arrives here with a wife and family and demands family quarters, where formerly one room in a hostel was adequate. Therefore instead of the demand being reduced, I find myself in the unhappy position of having to face innumerable demands from day to day. I fully sympathise with the landlords who want to have their houses derequisitioned. But for every complaint which is received from landlords on account of their houses not being derequisitioned, there are innumerable complaints from others clamouring for accommodation. I wish I could get the Honourable Members to sit with me any day and listen to the numerous complaints which I get from all sorts of people, from Government officials, from non-official members of this Honourable House, press correspondents, foreign representatives, ambassadors, High Commissioners and others who are constantly pressing me to find accommodation for them.

Unfortunately houses do not grow like mushrooms. The number of houses is absolutely limited and we cannot now undertake semi-permanent construction as we did in wartime. We are certainly trying to solve this problem. Government have, Sir, recently sanctioned the construction of 200 flats in Delhi, of 1,000 clerks quarters in New Delhi and of 1,000 clerks quarters in Old Delhi. Similarly, they have sanctioned the acquisition of land on which houses have been constructed in Calcutta and Bombay. We are trying to solve this problem in one direction by new constructions on behalf of Government. But Government cannot utilise all the building material available for their own work. They have to strike a balance and make available building material for private people. Government have also to see that private house building is encouraged as far as possible. Sir, time is running short and I do not wish to take up too much time. The other day I assured the House that the question of private house building was very seriously under consideration and Government were trying their best to provide help as far as possible. That is the real solution of the difficulty with which we are faced. It is not that the housing problem of Delhi, Calcutta or Bombay is going to be solved to any appreciable extent if Government derequisition the 371 and odd houses in Delhi, the 110 houses in Bombay and the 60

houses in Calcutta. After all, sixty houses in Calcutta, Sir, is a drop in the ocean. What will happen if these sixty houses are derequisitioned tomorrow? Is that going to solve the problem? It is not going to make the slightest difference. The Government Officers who are staying in these flats in Bombay—it may be any number of flats; I am not going into that just now—but the number of officers who are at present occupying these flats in Delhi, Bombay or Calcutta will have to continue to live in those places so long as the controls which the House has approved continue to exist. Obviously we have to find accommodation for those people. The only thing that will happen, if these houses are derequisitioned, is that a few landlords will gain, whereas, these unfortunate government servants whose duty makes it absolutely necessary for them to stay in Bombay, Calcutta or Delhi will be either thrown on the streets or they will have to face demands for *pugree* from landlords; or I do not know what else they will do.

I am not concerned with the question of retrenchment. That is a matter which is seriously engaging the attention of the Government. If and when it is possible to abolish these offices certainly these houses will become surplus to requirements and we will have no further use for them. But so long as these offices continue to exist, and, so long as we have to find accommodation for these people, what else can we do except keep these houses under requisition, unless and until new construction is available, or, unless and until houses can be taken on lease? I may assure the House that Government have tried their best to obtain houses on lease in Delhi, Bombay and Calcutta. All the people whose houses are under requisition were addressed whether they would agree to the requisition being replaced by a lease. The response was practically negligible. It may be said that the landlords are suffering. The extent of that suffering can be judged from the fact that when Government fixed the compensation, that is, the rent payable for these buildings, in 94 per cent. of cases the rent as fixed by the Government was accepted by the landlords without any dispute. It was only in 6 per cent. of cases that the landlords asked for the amount of rent to be referred to arbitration. That shows that Government have been fairly generous in dealing with these landlords.

The matter was recently considered at a meeting of the Advisory Board on derequisitioning in Delhi. We placed our difficulties before that Board and I believe that the Board was very much impressed with our difficulties and I was even told that in a number of cases the present demand for derequisitioning is not so much because the landlords want to come and live in those premises—genuine cases of hardship have already been dealt with by Government and houses have been derequisitioned—but the present demand comes from people who want vacant possession in order that they should be able to sell the property at greatly inflated rates. I do not know, Sir, how far that accusation is correct, but that is my information. That is what we were told. We were also told that simply in order to accommodate these people who want vacant possession to sell their property at inflated rates, there was no justification for putting a large number of government servants, or, rather, putting Government itself into difficulties.

Much has been said about vacant buildings. I admit that occasionally buildings are left vacant for some time. There are so many difficulties. There is a pool of accommodation at the disposal of the Defence Department. Sometimes a building is vacant. The Defence Department are not quite sure about troop movements and they do not know whether they can replace the accommodation at the disposal of the Civil Departments. It is unfortunate that the Civil Department gets the discredit. By then I am not suggesting that the Defence Department deserves discredit either. Later on when the building comes to us, there are a large number of pressing claimants. A large number of Departments have got their claims. We have to find out which is most urgent and try to allot the vacant premises in the fairest possible manner. We could easily sit down and give it to any Department. But we will be doing injustice to another

[Mr. B. K. Gokhale.]

Department whose needs are probably greater. The allotment necessarily involves difficulties. It is common knowledge about housing accommodation that everybody is very anxious to secure allotment. But once he secures allotment, he is not so anxious to move in. There are hundreds of difficulties: he finds that certain rooms require alterations; certain light points have to be provided; certain other things have to be done. The building remains vacant and we are told that we are not utilising the accommodation to the fullest extent. We made two minute surveys of the vacant accommodation position in the last three months, and we found that the total amount of vacant accommodation, so far as residential accommodation is concerned was less than a fraction of 1 per cent. while the vacant accommodation position in respect of office accommodation was perhaps slightly more, but, in no case above 1 per cent. That is the position about vacant accommodation.

We have been asked to fix a target for derequisitioning. Here I frankly confess that I am not in a position to fix any target. The first thing will determine the pace of derequisitioning is the size of Government Departments in the near future and in the distant future. Well, I cannot say when retrenchment will begin, when the size of offices will be reduced, and when certain controls which are being imposed by this Honourable House will be done away with and these offices will no longer be necessary. Then there are so many other uncertain factors of the situation. There is the constitutional position. We do not know what will be our requirements for the Centre after June 1948. I do not know whether the Centre will require accommodation in Calcutta or Bombay next year. The whole thing is so uncertain that I must confess I cannot fix a target date for derequisitioning. Provisionally speaking, however, Government expect that the new construction which has been sanctioned will probably be ready by October 1948, and by October 1948, we may be able to release a very large block of requisitioned accommodation, if, by that time, new demands don't crop up; if foreign Embassies and things like that do not collar all that we are prepared to derequisition. That, again, is a contingency about which I cannot say anything very definite at present.

Sir, I have already said that the Honourable Member in charge of the Works, Mines and Power Department looks into every case personally. The Advisory Board is going into the whole matter and the Honourable Member pays particular attention to its advice. I must confess that I cannot add anything further to what I have said, except that I hope that instead of giving us blame or discredit for what has been done, the House will realise and appreciate our difficulties and give Government due credit for the large amount of accommodation that they constructed in wartime and for what they have done in the way of utilising the accommodation available at their disposal in the best possible manner ever since the war was over.

Sreejot Robini Kumar Chaudhuri (Assam Valley: Non-Muhammadan): I rise to make a few observations on this Bill based on my experiences in my own province which was the greatest victim of war in the matter of requisitioning. There, college buildings, school buildings, hostels for boys and girls were requisitioned for the use of the military. Also all decent private houses were requisitioned for the accommodation of the soldiers. Electricity was cut off from private houses, so that ball rooms may be kept busy. Water supply was cut off from private houses so that water may be taken miles away in the interior where houses were built for military purposes. Thousands of villagers were rendered homeless and their fields were taken away and drains were constructed so that there may be less mosquitoes. All this was done during the war not by our enemies or Japanese or members of the Indian National Army but for the benefit of Allied Troops.

I take very strong exception to certain provisions of this Bill, because they want to prolong the agony from which we have been suffering so long,

owing to circumstances beyond our control. It will require very strong nerve on the part of any dictator to come to this House and ask for these powers and it will require extreme docility on the part of the followers of the dictator to agree to these measures in peace time. I would invite the attention of the House to certain provisions of this Bill and ask them to ponder over it before they finally accept the Bill as it stands.

Clause 9 of the Bill says:

"No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any order made thereunder."

Those who are in the legal profession know very well how the words 'good faith' can be interpreted in any way you like.

Clause 8 says:

"The Central Government or any Provincial Government may, by order notified in the official gazette, direct that any power conferred or any duty imposed on it by this Act shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or discharged by such officer as may be so specified."

The arbitrary and extensive powers conferred by this Bill can be exercised by one single officer and the fate of thousands of people will be placed under the tender mercy of this particular officer. It is nothing new that I am speaking of. As a matter of fact, a single officer was in every case authorised to make requisition in our part of the country. He could do whatever he liked and no power on earth can set aside the order. Today in peace time we are still allowing the Government to make a provision enabling a single officer to exercise these arbitrary powers. I should have expected the Select Committee to make suitable amendments to this provision.

Then again sub-clause (4) of clause 5 says:

"Any decision or determination of the appropriate Government under sub-section (3) shall be final and shall not be called in question in any Court."

This clause says that land may be required although it may not be for the benefit of the public or for the benefit of the Government. It is left to the tender mercy of the Government to make whatever decision it likes and that decision cannot be questioned by anybody. Will the parties affected by such a decision be allowed to make a representation before the appropriate Government before they come to any decision? No, Sir. No provision has been made in this Bill. Is it not arbitrary in the extreme to introduce a clause like this which places the people at the tender mercy of the Government.

I now come to clause 3 of the Bill.

"Notwithstanding the expiration of the Defence of India Act, 1939, and the rules made thereunder and the repeal of the Ordinance, all requisitioned lands shall continue to be subject to requisition until the expiry of this Act and the appropriate Government may use or deal with any requisitioned land in such manner as may appear to it to be expedient,

Provided that the appropriate Government may at any time release from requisition any requisitioned land."

Now, Sir, has the appropriate Government requisitioned land for the benefit of the villagers who have been rendered homeless? Has the appropriate Government released for the benefit of the villagers their cultivated lands which have been spoiled. There was some meaning in depriving these villagers of their home on account of military exigencies, if the Government found employment for them at nominal daily wages. What has happened is that the Government have deprived them of their means of livelihood and their land. Should it not have been the first object of the British Government to restore their lands to the villagers whose means of livelihood have gone? Why are not these things done first? Their lands have been converted into airfields which are not in use now and may not be used in future and still these lands are kept under requisition. Simply because these air fields may be required against in case of a prospective war, the Defence Secretary wanted to retain these lands under requisition, for all time

[Sreejot Rohini Kumar Chaudhuri.]

to come. If a war breaks out at any time, it would not require much time to make your air fields again. It will certainly not require much time when the Government is in your own hands. Nor will it require much time to persuade the people to give up the land for the defence of their country. Then, why should you keep this land because of some distant possibility of utilising it in case a war breaks out? Another thing which I noticed in the note which has been prepared by the Defence Secretary was that the process of derequisitioning is steadily progressing. That is true, but it is proceeding very slowly and deliberately slowly because nobody wants to part with the advantages which he has gained during the war time. Nobody wants to give up the luxury of living in beautiful houses belongs to others. No one wants to be deprived of that. So, the rate of derequisitioning is very slow.

I also want to draw the attention of the Honourable Member to certain specific instances which have been mentioned and where the delivery of the buildings has been given by the military persons in occupation to wrong persons. Although the land was taken from one particular person by the Deputy Commissioner as the requisitioning authority, it has been given to another person or the building has been given to another person at the time of de-requisitioning by the military personnel which was in possession. What are you going to do about that? Are you going to drive the party who had given the land to the requisitioning officer to litigation? I have myself approached the Government on these matters and the reply has been that it is not possible for them to interfere. When the land has been given already by the military, the Government cannot do anything. At any rate, the Government of the province cannot do anything in the matter. But something has got to be done. I gave you the land when you wanted it and I want to get it back now from you because it is no longer wanted by you. And I am told that I cannot get back the land because the military personnel wrongly gave the land to some other person. Is this a fair treatment? What provision is there to check this kind of action? Is that order of an officer who is appointed under clause 8 final? A single officer is appointed under this clause. He requisitions some property or he refused to derequisition it and his order is final and nobody can say anything about it.

Then, Sir, I would very much urge that the expression "appropriate government" should be defined, so that everything under this Act can be done by the Government in whose province a particular land or house is situated, because it is very difficult for persons in remote provinces to come up to the Government of India and to submit their representations in this behalf. I may tell you that when most of the Congress Members were in jail and when the Government was being carried on in the provinces under section 93, all this requisition was done under the orders of the Government of India. I can say that at least so far as my province is concerned. Now, to approach the Government of India in all matters affecting de-requisitioning is a stupendous task which an ordinary villager or an ordinary private individual cannot undertake. So, I would suggest that the expression 'appropriate government' should be defined as the provincial government of the province where this requisitioned property is situated. That will simplify matters. It might be urged that the Provincial Government may be at loggerheads with the Central Government and may release land which the Central Government acquires or may refuse to acquire the land which the Central Government requires. I cannot believe that such a contingency is possible because even under the ordinary circumstances whenever land is required for a railway, the Provincial Government always does the requisitioning of that land. Nowhere it is suggested that the Provincial Government may refuse to acquire land which is wanted by the Railway Department and therefore such a measure should be adopted. If the Provincial Governments can be trusted to acquire land whenever it is needed for the Government of India, why don't you trust the Provincial Governments in whose province the land is situated to decide whether the particular requisitioned land should be released or whether a particular requisi-

sioned land should be acquired? Why don't you leave that matter to the decision of the Provincial Government? That will make the people of the province feel at ease, because they can approach the Provincial Government and take the necessary step. But it is very difficult for them to come up to the Government of India in matters like these. Therefore, I would suggest to this Honourable House to accept the definition of 'appropriate government' to be this, that it means a Government in whose territory the particular requisitioned property is situated. So, I take opportunity of asking the Defence Department to release quickly as possible at least those villages which were the homes of the villagers and those fields which might still be cultivated and from where food can be grown.

Rai Bahadur Devendra Mohan Bhattacharyya (Nominated Non-Official): Sir, I rise to say that a very large number of aerodromes have been constructed in the Burdwan Division in Bengal and hundreds and thousands of acres of paddy land and forest land have been requisitioned for the purpose, but no compensation has yet been paid to the owners. In a few cases where compensation has been paid, it has been paid at rates which prevailed at the time of requisition. These poor agriculturists and owners of forest land do not know whom to approach for the compensation. I would, therefore, like to propose that an Advisory Board like the Chittagong Advisory Board should be set up for the Burdwan Division which the aggrieved might approach for redress of their grievances and get the compensation due at an early date.

Another thing to which I would like to draw the attention of the Honourable Defence Secretary is that these lands were requisitioned some time in 1941 and 1942, but the owners have not yet got any compensation and they do not know when they would get. I would, therefore, suggest that some interest should be paid to the owners for this long interim period so that they might not suffer any loss in any way. Then, Sir, in the Burdwan Division the prices of paddy land and forest land have gone up by 400 or 500 times and if the owners are paid only at double the rate, they will suffer a great loss and they won't be able to secure an equivalent area of land which they have been deprived of. Sir, there is a class of land in the Burdwan Division recorded in Settlement papers as "waste land", although these lands are cultivated once in two or three years. The Government officials of the Land Acquisition Department have stated that no compensation would be recommended for these lands as these lands have been recorded in Settlement Records as "waste lands". If that be the case, Sir, it would be a great hardship and I should like to suggest that these lands should be compensated just like other lands. With these words, Sir, I support the Bill, but I hope the Honourable Defence Secretary would look into these matters and redress the grievances which I have just placed before the Honourable House.

Sir Cowasjee Jehangir: Sir, I shall take only a few minutes. I only wish to point out that in requisitioning lands and buildings for Government use in big cities, I think, it is time that Government saw that those whom they accommodate in those buildings are really deserving of accommodation. I have gone through the list very carefully of buildings requisitioned by Government and I find that some of the flats are occupied by officers who should not be allowed to occupy those flats. I find they are occupied by officers, I will not mention the department from which they come, because I do not want to make any invidious distinction, who come from departments whose duty it is to see that they house their own officers properly. If any private firm tried to get Government to assist them to house their officers as some of these departments have done, I think Government would be the first to come down and insist upon their building quarters for their staff. They do not build quarters for their staff, they do not even now do it, but they come to Government to ask for requisitioning of buildings for them. I think it is wrong.

Another point which I should like to bring to the notice of the House is this that we are in the middle of March. At the end of this month we shall have to pass this budget. I do not know where we are. I trust you will see that while

[Sir Cowasjee Jehangir]

these Bills are being discussed at great length by this Honourable House it does not mean that we shall be gagged when the budget comes. I have no objection to Honourable Members speaking at length on Bills of this character. By all means let them do so, it is an important Bill. We are in the middle of March and it is important that the Budget should be passed by 31st March. In my experience of 17 years, I have never known of the House being engaged on Bills of this kind in the middle of March. If the consequence is that we, Members, who would like to have our say on the Budget are going to be deprived of that right, I can only hope and trust that you will see that justice is done to us.

Mr. G. S. Bhalja: Sir, I have heard with great attention and noted the many and varied points which have been raised from various quarters in the House. My Honourable friend, Mr. Manu Subedar with his usual eloquence levelled several charges against the department into which I do not propose to go at the moment. A meeting of the Bombay Advisory Board of which he is a Member was held only the day before yesterday and the suggestions which he made on the floor of the House were also made by him at that meeting. I have got here a draft summary of the proposals made by him. We have already called for a report from the Q.M.G. in India as to the extent to which these suggestions could be given effect to. I hope that will satisfy my Honourable friend who happens to be absent at the moment.

Sir, it was heartening to find that for once at any rate my Honourable friend Mr. Sasanka Sekhar Sanyal showed some appreciation of the work done by the Defence Department. In this connection, I would only say that I hope the House will soon be in a position to show the same appreciation in respect of all the activities of the Defence Department. He raised the question as regards complaints which would come from areas not covered at present by the Boards which have already been established. I shall make the intention of the Government quite clear. We established these Boards at the important centres, I have mentioned because these were the places where the bulk of requisitioned properties were situated. If however there are other places in the provinces where there are complaints of requisitioned properties being continued longer than necessary Government will have no objection to extending the jurisdiction of these Boards so as to cover the whole province; in particular, the Board of Calcutta will be authorised to deal with complaints coming from all over the province except the areas which come within the jurisdiction of the two Boards to be established at Chittagong and Dibrugarh. I hope that would satisfy my Honourable friend.

In this connection, I wish to refer to the Press Note which we issued when we established these Boards to indicate their functions. The press note says that the Government of India have decided to establish at Bombay, Calcutta, Delhi, Chitagon and Dibrugarh, Advisory Boards of officials and non-officials to advise Government on questions arising from the continued possession by them of requisitioned land and acquisition of requisitioned land. Thus the Boards will clearly deal with questions of acquisition. That would also meet the point raised by my Honourable friend Mr. Lawson who suggested that before Government decide to acquire a particular property they might consider whether there was an alternative property available. It certainly would be the function of the Boards to consider questions of that type.

My Honourable friend Mr. Lawson asked us to indicate the target date for the derequisitioning of properties. My Honourable friend Mr. Gokhale, the Secretary for Works, Mines and Power department stated how difficult it was to suggest a date as the last date by which we shall be able to derequisition all properties. I would further explain the difficulty by the illustration of another civil department, namely the Industries and Civil supplies department who are responsible for disposals. Now, the House is aware that there are thousands of tons of surplus stores lying in various places and the Defence Department have assumed responsibility for storing and guarding them until they have been disposed of by another depart-

ment of the Government of India, namely the Industries and Supplies Department. Unless and until they are in a position to say that this disposal work would be completed by a certain date it would be very difficult for the Defence Department to indicate a target date.

Mr. C. P. Lawson: What do they say?

Mr. G. S. Bhalja: They have not been able to give any target date. But the House can rest assured that the Bill itself provides for automatic termination. It cannot last longer than the Act passed by the Parliament which authorises this legislature to continue certain controls, and that is a maximum period of five years. In the first instance, that power continues for a period of two years. A notification has just been issued by His Excellency the Governor General in his discretion continuing these powers for a period of two years. Beyond the period of two years, the powers will have to be continued by a vote of both Houses of Parliament. The maximum period for which this Bill can remain in operation is therefore a period of five years from the 1st of April 1946.

My Honourable friend Pundit Thakurdas Bhargava in his very eloquent Hindustani speech which I was glad to hear has attacked the basis of compensation which is proposed to be introduced. My Honourable friend Mr. Manu Subedar who is to move the amendment I referred to earlier will deal with the question as to why it was considered desirable to restrict the grant of compensation to 100 per cent over the value at the time of requisition. He asked me whether Government would be creating new assets or new works with a view to easily acquiring land which they cannot acquire at the present moment. I have no hesitation in giving him an assurance that Government have no such intention; they do not wish to create any new assets merely in order that they may be in a position to acquire land under part (a) of sub-clause (3) of clause 5 which this Bill authorises.

As regards giving the land over which assets have been created to the original owner there are various difficulties. To give an illustration, we have built a big hospital at Aundh; is it desirable that the hospital which has been constructed at a cost of several lakhs should be offered in the first instance to the owner of the land? It would be against public policy to offer this land with the buildings to the owner of the land. The assets have been created by Government for a specific purpose; and if Government wish to continue in possession of that property for that purpose I can see no inherent injustice in the proposal to acquire such land.

Mr. Sasanka Sekhar Sanyal: May I know what will be the basis of acquisition in respect of those premises where acquisition has been made through the Ordinance but compensation has not yet been made?

Mr. G. S. Bhalja: We have carefully examined that question also and our conclusion is that if land was acquired under the Defence of India Rules compensation would be paid as provided for in those rules. We cannot obviously reopen cases which have been closed; I do not think it would be right and equitable to do so. But if land was acquired under the Ordinance, i.e., a notice of acquisition was issued, but compensation has not been finally determined at the time when this Bill becomes an Act, the new basis of compensation will be applied and not the old basis, even though a notice of acquisition may have been given under the Ordinance. I hope that will satisfy my Honourable friend.

A complaint was made that in some cases compensation was given to wrong persons at the time of derequisitioning. I shall be glad to inquire into any specific instances of such wrong compensation having been given. If one merely makes a general remark like that, it is not possible to give a specific reply. But I certainly give an assurance that if any such cases are brought to the notice of Government they will be promptly inquired into.

[Mr. G. S. Bhalja.]

My Honourable friend Mr. Bhargava also raised the question of punishment. Government have no desire to take powers to inflict unduly severe punishment in time of peace; and I am prepared to accept on behalf of Government the amendment which he proposes to move with a view to reducing the punishment provided for in this Bill.

I hope this will give the House an idea of the earnestness with which Government consider such questions and conduce the House of their genuine desire to proceed with derequisitioning as expeditiously as possible; and I hope the House will pass the motion I have made.

Mr. Sasanka Sekhar Sanyal: May I ask for one information? Perhaps the Honourable Member knows that some parties who have purchased lots of articles from Disposals Directorate are keeping large premises and compounds as store-yards and godowns for these articles, and they do not show any desire either to dispose of them or to remove them elsewhere. How does the department propose to deal with this question?

Mr. G. S. Bhalja: I think all these matters he can bring before the Advisory Board on which he sits.

Mr. Sasanka Sekhar Sanyal: As a matter of fact this matter was discussed in the Advisory Board but we discovered some legal lacuna. Will the Honourable Member consider the question of filling up that lacuna so that we might force these parties to remove their goods?

Mr. G. S. Bhalja: Yes, Sir, if the evil complained of is on a very appreciable scale we shall certainly examine the desirability of introducing a new provision.

Captain G. T. B. Harvey (Madras: European): Sir, we have been listening to talk of requisition, acquisition and de-requisitioning, etc. But one question I should like to ask and that is about in cases where the Defence Department has leased property from a private owner how long does it usually take to pay the rent? I know a particular case of an elderly lady who happens to own property which she was persuaded to lease to the Defence Department. I believe that was four years and three months ago, and establishments costing some seven lakhs have been built on that property. And as far as I know she has not received one penny of rent yet.

Mr. G. S. Bhalja: I will certainly look into the case that my Honourable friend has cited.

Sreejot Rohini Kumar Chaudhuri: Sir, what is the position of the Advisory Board? Will their recommendations be accepted in every case or can they be rejected also? Are they merely an advisory body?

Mr. G. S. Bhalja: As the name suggests, it is an advisory board. But I am here to give an assurance on behalf of Government that the recommendations of the Board will be given effect to to the greatest extent possible.

Mr. President: The question is:

"That the Bill to provide for the continuance of certain emergency powers in relation to requisitioned land, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Pundit Thakur Das Bhargava: Sir, I beg to move:

"That to clause 3 of the Bill, before the existing Proviso, the following new Proviso be inserted, namely:

"Provided no such works are constructed on the requisitioned land as are mentioned in part (a) of sub-section (3) of section 5 of the Act or as can give rise to incurring of such costs of restoration as are mentioned in part (b) of sub-section (3) of section 5 of the Act."

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Khan Mohammad Yamin Khan).]

In connection with this amendment I will only submit that if such works are allowed to be constructed as contemplated in part (a) of section 5(3), then after some time when the occasion arises the appropriate Government will be in a position to say subsequently that since such works are there section 5(3) will be applicable. And thus construction of works will be tantamount to preparing the ground for acquisition. Now after having heard the Defence Secretary I consider that the policy of Government is not to acquire land in cases where it can be avoided; and if so, there is no reason why in future such works should be constructed as would entitle Government to acquire land or such cost be incurred as would make it difficult for Government to restore the land to the person from whom it was taken. Therefore considering what has fallen from the Defence Secretary I presume he will accept the amendment and give effect to the policy which he has been pleased to enunciate. Sir, I move.

Mr. Deputy President: Amendment moved:

"That to clause 3 of the Bill, before the existing Proviso, the following new Proviso be inserted, namely:

"Provided no such works are constructed on the requisitioned land as are mentioned in part (a) of sub-section (3) of section 5 of the Act or as can give rise to incurring of such costs of restoration as are mentioned in part (b) of sub-section (3) of section 5 of the Act."

Mr. G. S. Bhalja: Sir, I regret I have to oppose this motion which proceeds, I suggest, on distrust. I did give an assurance on behalf of the Government that it was not our intention to have this provision in order that we may have the power to acquire land; but if a provision like this is made in the body of the Bill what would be the result? There are several places where we have built temporary constructions—huts or buildings—which may have to be repaired. Strictly speaking, if a provision like this was passed, my Honourable friend would come forward and say that the Government have newly constructed these huts and therefore they have no power to acquire the land on which

4. P. M. these huts are constructed. It may happen that it may be necessary for Government to construct some buildings with a view to getting the best use out of a particular land which is requisitioned, and it would considerably hamper the Government if a provision of this kind is made in the body of the Bill. Sir, I oppose this amendment.

Sjt. N. V. Gadgil: Do I understand the Honourable Member correctly that the Government assurance given just now relates to this extent that Government will not create new assets so as to invite the provisions of sub-clause 3 of clause 5?

Mr. G. S. Bhalja: I said that the Government had no intention of resorting to this provision merely in order that they may be in a position to acquire that bit of land, which they would not otherwise be able to acquire, but I added that it may be necessary sometimes to create new assets in order to put the land to the use for which it was originally requisitioned. It would considerably hamper the Government if they had to be tied down by a provision of this kind in the body of the Bill.

Pundit Thakur Das Bhargava: In view of the assurance given by my Honourable friend, I beg leave of the House to withdraw the amendment.

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

Mr. Deputy President: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Pundit Thakur Das Bhargava: I beg to move:

"That in part (b) of sub-clause (3) of clause 5 of the Bill, the following be added at the end, namely:

"and the owner declines to accept the restoration of requisitioned land without payment of compensation by the Government."

In placing this amendment before the House all that I have to say is that the real reason why the Government want to acquire a particular building or piece of land is that in the opinion of Government the incurring of cost of resorting the requisitioned land to its original shape will be excessive. Now, with a view to see that this reason of the Government is fully met and made inapplicable in cases where the owner does not insist on the Government for restoring the land to its original shape and is prepared to accept the land in its present shape, I have moved this amendment. If the Government accept this amendment, it will not mean extra cost to them. Sir, I commend this amendment to the House.

Mr. Deputy President: Amendment moved:

"That in part (b) of sub-clause (3) of clause 5 of the Bill, the following be added at the end, namely:

"and the owner declines to accept the restoration of requisitioned land without payment of compensation by the Government."

Mr. G. S. Bhalja: A similar suggestion was made before the Select Committee and I had then given the assurance that if in circumstances described in part (b) the owner of the land requires the land back there would be no objection to giving it back to him. The Committee felt that it was hardly necessary to include this in the Bill itself, but if the Honourable Member desires that it must form part of the Bill, I have no objection to accepting this amendment on behalf of Government. I would however suggest a slight change in the wording. The Government draftsman suggests that it should be worded in this way:

"and the owner declines to accept the release from requisition of the land without payment of compensation by the Government."

Mr. Deputy President: I take it that Pandit Bhargava accepts this alteration.

Pundit Thakur Das Bhargava: Yes, Sir, I do.

Mr. Deputy President: The question is:

"That in part (b) of sub-clause (3) of clause 5 of the Bill, the following be added at the end, namely:

"and the owner declines to accept the release from requisition of the land without payment of compensation by the Government."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Mr. Manu Subedar: Sir, I beg to move:

"That for clause 6 of the Bill the following clause be substituted, namely:—

'6 (1) In respect of the continued subjection of requisitioned land to requisition under this Act or the Ordinance, compensation shall be determined and paid in accordance with the provisions of section 19 of the Defence of India Act, 1939, and of the rules made thereunder:

Provided that all agreements and awards under the said section in respect of the payment of compensation for the period of requisition before the expiry of the said Act shall continue to be in force and shall apply to the payment of compensation for the period of requisition after such expiry.

(2) In respect of any acquisition of requisitioned land under this Act or the Ordinance, the amount of compensation payable shall be such sum as would be sufficient to

purchase at the market rate prevailing on the date of the notice under section 5 a piece of land equal in area, to, and situated within a distance of three miles from, the acquired land, and suitable for the same use as that to which the acquired land was being put immediately before the date of its requisition, or a sum equivalent to twice the market value of the acquired land on the date of its requisition, whichever is less; and such amount shall be determined and paid in accordance with the procedure set out in the aforesaid section 19 and the rules made thereunder.

- (3) For the purposes of sub-section (1) all the provisions of the aforesaid section 19 and of the rules made thereunder, and for the purposes of sub-section (2) such of those provisions as relate to matters of procedure, shall be deemed to be continuing in force."

I do not wish to say anything in explanation as I have already explained to the House that this is an agreed amendment on all sides. Sir, I move.

Mr. Deputy President: Amendment moved:

"That for clause 6 of the Bill the following clause be substituted, namely:—

- 6 (1) In respect of the continued subjection of requisitioned land to requisition under this Act or the Ordinance, compensation shall be determined and paid in accordance with the provisions of section 19 of the Defence of India Act, 1939, and of the rules made thereunder:

Provided that all agreements and awards under the said section in respect of the payment of compensation for the period of requisition before the expiry of the said Act shall continue to be in force and shall apply to the payment of compensation for the period of requisition after such expiry.

- (2) In respect of any acquisition of requisitioned land under this Act or the Ordinance, the amount of compensation payable shall be such sum as would be sufficient to purchase at the market rate prevailing on the date of the notice under section 5 a piece of land equal in area, to, and situated within a distance of three miles from, the acquired land, and suitable for the same use as that to which the acquired land was being put immediately before the date of its requisition, or a sum equivalent to twice the market value of the acquired land on the date of its requisition, whichever is less; and such amount shall be determined and paid in accordance with the procedure set out in the aforesaid section 19 and the rules made thereunder.

- (3) For the purposes of sub-section (1) all the provisions of the aforesaid section 19 and of the rules made thereunder, and for the purposes of sub-section (2) such of those provisions as relate to matters of procedure, shall be deemed to be continuing in force."

Sir Cowasjee Jehangir: Since this is an agreed amendment, I think it would be a waste of time to criticise it. But I would like an explanation. An equal area has to be bought or an amount provided that will buy an equal area within three miles. In big cities like Bombay, Calcutta or Madras, to acquire a bit of land within three miles could not be of the same class as the land acquired. It must be different. Even a quarter of a mile would make a big difference in a city like Bombay, and therefore to put in a provision like this appears to be impracticable. It goes on to say: ". and suitable for the same use" How could in a big city land within a radius of three miles be suitable for the same use. It must be within a very short distance.

Then it goes on to say "the acquired land was being put immediately before the date of its requisition" That too seems to me to be impracticable. The land may be vacant land. Generally it is and may be in a very valuable locality. It was not put to any use and would have been built upon. But the wording is "and was being put immediately before the date of its requisition". It was put to no use before its requisition. It ought to be or was intended to be used. There was a bit of land. It could have been built on but it was vacant and therefore it ought to be the past tense also. I would like some explanation,

Mr. Manu Subedar: The whole of this section was intended to be useful for agriculturists whose land was taken and if my friend read it in the context of a farmer, whose land was taken away, the whole thing applies, because 80 per cent. of the cases involved are with reference to farmers and it was out of regard

[Mr. Manu Subedar.]

to them that the Select Committee members wanted to have it like this. So far as my friends comment is concerned, the only part which would apply to city land is the 100 per cent. By no stretch of imagination can we apply the previous use, or the three mile radius or a like value at all. Therefore, we felt if we are to deal satisfactorily from the point of view of the rural population, we were doing a service if it was this way. Besides it was an improvement over Government's previous proposals. I agree that such a clause would penalize a good many city men whose property Government would acquire.

Rai Bahadur Devendra Mohan Bhattacharyya: At the time of requisition paddy was selling at Rs. 1-4-0 a maund. Now it is Rs. 6-4-0 a maund and that shows that the price of agricultural land has gone up by 500 times. If you pay him only at double that rate, he will not be able to secure that land.

Mr. Manu Subedar: I agree with my friend, but we had to strike a rough margin of equity. According to us he will get the original value and 100 per cent. more. He will get the full compensation in order to replace a like amount of land in the neighbourhood.

Pundit Thakur Das Bhargava: (The Honourable Member spoke in Hindustani. For Hindustani text see Appendix to the Debates for the English translation given below.—*Ed. of D.*) Sir, my friend Mr. Manu Subedar says that his amendment is an agreed amendment. Any opposition to it will therefore be academic. It is not proper to say anything against it at present but I should say this much that this amendment would have been of the nature of an agreed amendment only if the persons who were on the Select Committee and who decided against the Bill in the Select Committee were consulted. If it had been done with their agreement it would have been better. They would have then no cause for complaint. To do so behind their back is against the principles of democracy. I have a complaint that when decision was taken I was also a member of the Select Committee but I was never informed of it otherwise I would have certainly said that I did not like the thing. Now since they have given a decision and Mr. Manu Subedar and other members are all respectable I will say only this much that the people, for whose benefit Mr. Manu Subedar says this decision was taken, will receive no benefit—nay sheer injustice will be done to them. A man, who knows rural life, understands that if land is given to an agriculturist at a distance of three miles from his old land he will receive no benefit. This amendment does not contain even this provision that canal land will be given for canal land. This amendment is nothing but an eye-wash.

The second thing is that it will be sheer injustice if they are paid 100 per cent. price. I will tell the Defence Secretary that if the price of land has increased in Urban areas from 300 to 500 per cent., do not the people of Urban areas then deserve justice? Have they not families? Is their money not for their comfort? If it is, why justice is not done to them. What is this that you do justice to the people of rural areas and leave aside the people of the urban areas. Should the same justice and sympathy be not meted out to the people of the urban areas which is meted out to the people of the rural areas? I do not for one moment allow that justice should not be done to the people of the urban areas or their rights should not be preserved. I have already given many reasons to prove that it is quite unjust. If the House want it I have no objection. If the House want that the Government shall confiscate half portion of the property of every member of the Assembly it can do so but the House have no power to lay down that the lands which were taken on condition that they will be returned should not be returned to their owners. If a person whose land was acquired had been paid the price at that time he would have made a fourfold profit by its legal use. If the price has increased there is no reason that his land should be confiscated without paying him that price. For whose benefit he is to make this sacrifice? War was fought by the British and Abdullah and Ram Chander should lose their land. This is not justice. They should get the

market value of their properties. Government, however, have not done this. They themselves made a law in 1939 that prices should be paid according to the market value. This was in force up to 11th December 1945. From 9 months the law was changed that they should get the price current at the time the property was requisitioned. Now, that the war has been terminated for quite a long time there seems no reason why they should not be given the price to which they are entitled. If the House says that the agreement is against it I do not want to say anything. But I will say that the amendment is beneficial neither to the people of the rural areas nor of the urban areas nor to the Government. If the Government would pay more price it will pay with one hand and get back with the other because lots of taxes such as income-tax, super-tax, Capital Gains Tax etc. are to be paid on the price. In this way more than 50 per cent. is realized I should say why is this sin without any enjoyment is being committed. I, therefore say that the proposed amendment is unjust even if the House agrees to it.

Sjt. N. V. Gadgil: Sir, the great Machiavelli said: "Property is the source of all evil" and a bad government makes the evil worse. If they had acquired the properties somewhere at the beginning of the war, much of the trouble that we are witnessing would have been completely avoided. The attitude of the Government then was to acquire straightaway as little as possible but to take as much as possible on lease believing, shortsightedly as usual, that the whole war would be a short-lived affair. But not only was the war a prolonged one but the results have been much more than anybody could have expected. The point is this. Those who had to part with their lands, must either get back their lands or get a fair price. I understand that 80 per cent. of the lands occupied by the Government under the Defence of India Rules were rural and a small portion was in the urban areas of this country. In the rural areas prices have not gone up so much as was sought to be made out by my Honourable friend Pandit Thakur Das Bhargava. So far as the urban areas are concerned undoubtedly prices have gone up. In between the time when the lands or properties were acquired and now, every owner or whosoever was entitled to get any compensation for use and occupation has been paid not only the reasonable rent but much more than that. I do not think any complaints have been made on that account. I may give one instance. When property was acquired at Dehu Road the amount of rent that was fixed and is being paid by the Military Department is so much that even now it represents a higher rate of rent than is available in the surrounding area. If the Government does not want land, it has got to release it. My first request to the Government would be to release as much as they can and as the amendment moved by my friend Pandit Bhargava is accepted by the House, things have improved. If the owner is prepared to take back his land without asking for compensation, the Government now is bound to give it. There remains only one category, under which it will be necessary for the Government to acquire land and that is defined in Clause 5, sub-clause 3 (a). That means a very small percentage. If the prices have risen, I want to ask one simple question. Has the owner done anything towards the increase? What is his contribution towards the increase of price on account of which he now claims that he should have the whole of it? In fact, on principle, I am even against the amendment which has been moved by my Honourable friend Mr. Manu Subedar. Government should not acquire anything permanently: allow lands to remain on lease till prices come down, so that ultimately the owners will be willing to take back the land as it is without any compensation. Government can certainly play that waiting game. But if Government is anxious to purchase the land, then the question arises, with whose money Government is going to purchase it? There are properties in Bombay, Calcutta and other urban centres, where prices have gone up tremendously. It is obvious that the money must come from the poor taxpayer. But I am prepared to accept this amendment as a sort of *via média*. One hundred per cent. increase is also too much but in certain cases some principle has got to be

[Sjt. N. V. Gadgil]

accepted. In the Town Planning Act, Mr. Deputy President, you know very well that 50 per cent. of the final value is taken from the person who owns the property for the improvements that are likely to take place. At least we must take 50 per cent. As far as one is able to see prices have gone up 200 per cent. and if we can give 100 per cent. increase to the owner certainly it is not so negligible as is sought to be made out by my friend Mr. Bhargava. Therefore instead of giving them the full market value of today what is proposed under the amendment moved by my Honourable friend Mr. Manu Subedar is fair and just in the circumstances. It is much better from the taxpayers' point of view than would be the case, if matters were entirely left as my friend Mr. Bhargava desires. Therefore I support this amendment.

Mr. Deputy President: The question is:

"That for clause 6 of the Bill the following clause be substituted, namely:—

'6 (1) In respect of the continued subjection of requisitioned land to requisition under this Act or the Ordinance, compensation shall be determined and paid in accordance with the provisions of section 19 of the Defence of India Act, 1939, and of the rules made thereunder:

Provided that all agreements and awards under the said section in respect of the payment of compensation for the period of requisition before the expiry of the said Act shall continue to be in force and shall apply to the payment of compensation for the period of requisition after such expiry.

(2) In respect of any acquisition of requisitioned land under this Act or the Ordinance, the amount of compensation payable shall be such sum as would be sufficient to purchase at the market rate prevailing on the date of the notice under section 5 a piece of land equal in area, to, and situated within a distance of three miles from, the acquired land, and suitable for the same use as that to which the acquired land was being put immediately before the date of its requisition, or a sum equivalent to twice the market value of the acquired land on the date of its requisition, whichever is less; and such amount shall be determined and paid in accordance with the procedure set out in the aforesaid section 19 and the rules made thereunder.

(3) For the purposes of sub-section (1) all the provisions of the aforesaid section 19 and of the rules made thereunder, and for the purposes of sub-section (2) such of those provisions as relate to matters of procedure, shall be deemed to be continuing in force."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 6 as amended, stand part of the Bill."

The motion was adopted.

Clause 6 as amended, was added to the Bill.

Pundit Thakur Das Bhargava: Sir, I beg to move:

"That for sub-clause (2) of clause 7 of the Bill the following sub-clause be substituted, namely:

(2) Every person required to furnish such information as is referred to in sub-section (1) shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code."

The present section as it reads deals with two classes of cases: firstly, those in which information is required to be furnished and the information is not given and secondly, cases in which wrong or false information is given. It penalises both kinds of cases. My amendment is directed to one aspect of the case only, because according to Section 193 of the I. P. C. the other thing is provided in that Code and need not be referred to here. This amendment has been taken from Section 10 of Act I of 1894 and the words used are practically the same. That section required that any person who was ordered to furnish particular information was bound under law to furnish that information and in case he did not furnish he was held to be guilty of the offence under Sections 175 and 176 of the Indian Penal Code. Act I of 1894 is the law of the land and these temporary measures are all make shifts or substitutes to that provision and as such these must be correlated to that Act, which is based on almost universal principles. I beg to suggest to the House that this is enough for our purposes, if we

substitute this amendment for the proposed provision. I am glad that the Honourable the Defence Secretary has been pleased to say that he is agreeable to accept it. I therefore beg to move the amendment.

Mr. Deputy President: Amendment moved:

"That for sub-clause (2) of clause 7 of the Bill the following sub-clause be substituted, namely:

(2) Every person required to furnish such information as is referred to in sub-section (1) shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code."

Mr. G. S. Bhalja: As I indicated previously, Government have no objection to accepting the principle of the amendment moved by my Honourable friend Mr. Bhargava. Now that the war is over we wish to come back to normal conditions as far as possible. Therefore we do not wish to have severer powers than are necessary. But I suggest that instead of Sections 175 and 176 of the Indian Penal Code, Sections 176 and 177 should be substituted, because Section 175 relates to omission to produce document to a public servant by a person legally bound to produce it. There is no question of producing such document here. Section 176 refers to omission to give notice of information to a public servant by a person legally bound to give it and Section 177 refers to furnishing false information. These are the two Sections which we wish to be incorporated rather than Sections 175 and 176.

Mr. Deputy President: I suppose the Honourable Member has no objection to this.

Pundit Thakur Das Bhargava: After hearing what the Honourable Member said about the Sections I think reference to Sections 176 and 177 will be more appropriate than to Sections 175 and 176.

Mr. Deputy President: The question is:

"That for sub-clause (2) of clause 7 of the Bill the following sub-clause be substituted, namely:

(2) Every person required to furnish such information as is referred to in sub-section (1) shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 7 as amended, stand part of the Bill."

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Sreejut Rohini Kumar Chaudhuri: I beg to oppose clause 8. If this clause is deleted the structure of this piece of legislation will not in the least be affected and the Government will not be deprived of the powers which they seek under this Act. On the other hand, if the powers are delegated to an officer it will be very undesirable to delegate such extraordinary powers as are being given under this Act to an officer. Once they are delegated to an officer and once that officer exercises those powers Government will be powerless to interfere with the order passed by that particular officer. When you are investing Government with such extraordinary power there should be no provision for the delegation of the powers to any officer. I therefore hope that the House would agree to this clause being deleted. This does not affect the legislation at all.

Mr. G. S. Bhalja: I suggest that the proposition made by my Honourable friend is not a practical one. Neither the Central Government nor the Provincial Government can themselves perform the various functions which are described in the other clauses of the Bill. They must perform these functions through their agents. For instance when a land has to be requisitioned, it is the Collector of the district who can requisition it. Even the Collector himself is not in a position often to do this himself and he has to delegate his powers to others.

Sreejnt Rohini Kumar Chaudhuri: On a point of personal explanation, Sir. I am afraid I have not been understood by my Honourable friend. There is no bar to the enquiries and everything of that nature being done by the officer, but the final direction should always be passed by the Government and not by an officer.

Mr. G. S. Bhalja: We cannot, Sir, make a distinction like that. In order to enable Government to carry out the various functions under the Bill it is necessary that Government should delegate some of those functions to their agents. *Prima facie* it is impracticable. I therefore oppose the motion.

Mr. Deputy President: The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 and 10 were added to the Bill.

Mr. Shavax A. Lal (Government of India: Nominated Official): Sir, I beg to move:

"That in sub-clause (1) of clause 1 of the Bill, for the figures '1946', the figures '1947' be substituted."

Mr. Deputy President: The question is:

"That in sub-clause (1) of clause 1 of the Bill, for the figures '1946', the figures '1947' be substituted."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1 as amended was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. G. S. Bhalja: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Deputy President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

IMPORTS AND EXPORTS (CONTROL) BILL.

The Honourable Mr. I. I. Chundrigar (Commerce Member): Sir, I beg to move:

"That the Bill to continue for a limited period powers to prohibit or control imports and exports, as reported by the Select Committee, be taken into consideration."

The House is aware that when this Bill was introduced I explained the urgency of passing legislation of this character. The economy of the country is now undergoing a change from a wartime economy to a peacetime economy and we find that there is a great shortage of several articles and commodities in the country. Unless we restrict the export of these commodities and articles, the people of this country will be put to great hardship. On the import side we have to choose which commodities and articles should be allowed to be imported into the country and how best we should utilise the exchange which is available to us. Incidentally we have to ensure that the imports do not result in killing any industries in the country. During the war the powers of controlling the imports and exports were vested in Government as a result of the Defence of India Act and Rules. After the Defence of India Rules ceased to be enforced, an Ordinance was passed for the purpose of continuing those powers. That ordinance expires on the 24th March 1947. It is necessary that these powers should

be vested in Government before that day. The Bill was referred to the Select Committee and the question was fully discussed in the Select Committee. The only changes made by the Select Committee are in the definition clause, clause 2 and the addition of new clause 6 regarding the cognizance of offences. It has been found necessary to provide that no Court shall take cognizance of any offence punishable under section 5 except upon complaint in writing made by a Customs Collector or by an officer of Customs authorised in writing in this behalf by a Customs Collector and no Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any such offence. This is to prevent certain frivolous or malicious prosecutions being launched against some persons without any authority from Government. With these changes, the Select Committee has accepted the other provisions of the Bill and I hope the House will pass the Bill as it is.

Mr. Deputy President: Motion moved:

"That the Bill to continue for a limited period powers to prohibit or control imports and exports, as reported by the Select Committee, be taken into consideration."

Mr. C. P. Lawson (Bengal: European): Mr. Deputy President, Sir, when I moved for reference of this Bill to Select Committee you will remember that there were no less than 3 Select Committee motions on the Order Paper. It will therefore come as a bit of surprise to you that after these three Select Committee motions the Bill should come back in substantially the same form as that in which it went to the Select Committee. It will also come as a slight surprise to you that after the long and very interesting and very definite debate on the question of controls that took place in this House two or three days ago, in spite of the unanimous feeling in this House that controls should be restricted by every possible means, even in spite of that feeling in the House, this Bill has come back more or less unaltered. So, Sir, I find myself at a considerable disadvantage in speaking about a Bill which seems to me to carry a number of inconsistencies.

In the first place this Bill is a perpetuation of a war measure. I consider that it is necessary to consider in connection with this Bill how many of the clauses covered by this Bill are really war clauses, whether the purpose for which those provisions were made is still necessary to be fulfilled. Let me for instance just quote very briefly from clause 3(1) (b) which says:

"The Central Government may, by order published in the official Gazette, make provision for prohibiting, restricting or otherwise controlling, in all cases or in specified classes of cases, and subject to such exceptions, if any, as may be made by or under the order,—
the bringing into any port or place in British India of goods of any specified description intended to be taken out of British India without being removed from the ship or conveyance in which they are being carried."

What was the purpose of this clause? Clearly it was to control goods which it was thought might go to a foreign country and might be used against us in the war. By this means all the ports in our great coast line were forbidden for a certain class of goods. What is the value of that clause today? Can the Commerce Member tell me what value that clause will be to him? We have port rules to protect the country in the case of bringing in explosives, things that are dangerous but what is the use of this clause? I suggest that it is really a war time measure, which is being carried forward in peace time. That being so, I suggest that there is still room for considerable examination of this Bill.

Let us go just a little bit further and consider clause 3(2). This enhances the penalty that an importer shall suffer for importing goods or otherwise misbehaving under the terms of this Bill. Why were these penalties enhanced? Because in war time, Government could not risk these offences being committed and so they raised the penalties that the Customs could impose on a person who contravenes these provisions. Do not think for one moment that that particular clause is the only penal clause under this Bill. At the end of it you will find provisions whereby if the provisions of this Bill are contravened a man may not

[Mr. C. P. Lawson.]

only be fined without limit but may also be sent to prison. Why then increase the powers of a non-judicial officer to punish the importers. Once again I suggest that that shows that in transferring these war measures to peace time very much more consideration has to be given.

Now, Sir, the Bill as it stands before the House is to be in force for three years. In other words this House, in spite of the clearly expressed opinion that it gave regarding controls generally two or three days ago is now prepared to give Government blanket powers in the question of complete control of the imports and exports for a period of three years without qualification. Is that consistent with the opinion expressed by this House? Would it be consistent with the views of Prof. Ranga who, although he was not satisfied with the reply of the Honourable Member for Industries and Supplies, yet withdrew his motion? When Prof. Ranga said that, there were signs of the cracking of the "whip" and may be in this question also we shall hear the cracking of the "whip". But in spite of that, I still suggest that this Bill requires more consideration, that in handing out blanket powers of a very wide nature to the Government this House will be acting inconsistently.

Sir, the House will have noted that I have attached to this Bill a minute of dissent which enumerates some of the points which require alterations on the floor of the House. I should have liked other matters in the Bill to have been altered as well and as I said when I moved for reference to Select Committee, this was a matter which should not have been rushed through in two or three days or two or three weeks or even in two or three months. The question of the transfer of war legislation to peace conditions is really a matter for circulation. It is really a matter on which we should have taken opinions from all interested parties by circulating the Bill at the beginning of the last session. That would have been the proper way to deal with it. I personally have no legal abilities or propensities but I am not satisfied that in placing this legislation on the statute-book, we are doing so with full consideration of whether we are not transferring to the statute-book provisions which were meant for war times and not for peace times. I know that the Honourable the Commerce Member will tell me that the times are still abnormal and I will agree with him, but I will not agree with him that we should now legislate in the same manner as we would have legislated two or three years ago. There are different considerations at stake, there should be different penalties and there should be different provisions. The point which I particularly brought to his notice regarding the use of sub-clause (b) of clause 3(1) should, I think, give him matter for thought and perhaps when he replies to this debate, he will explain to this House what particular powers which are not now in existence he requires to use by providing this sub-clause 3(1)(b) in this Bill. And that is my instance.

Now, Sir, I merely wanted to make those few remarks in order to make the position of my Group clear regarding this Bill. We have no intention whatever in holding up legislation which we know is absolutely necessary and which we know must become law by the 25th March. But if there is any impatience on the part of the Government Benches or on the part of anyone in this House for the amendments that we have put forward and for the delays which those amendments naturally entail, I will suggest to those complainants that the fault is not ours. As the situation is, we are passing legislation. We are turning war time legislation into peace time legislation. In my opinion, with undue haste. This is not the only measure in which we shall have to think this matter over carefully. Some of the Bills introduced this morning equally are measures which applied to war conditions and which will now need to be transferred to peace conditions, and I still must say regretfully that it is wrong that there should be this rush legislation. So, Sir, I shall explain the amendments in

greater detail when the time comes for moving them, and, in the meantime, we on this side will support the motion for consideration.

Mr. P. B. Gole (Berar: Non-Muhammadan): Mr. Deputy President, I agree with my Honourable friend Mr. Lawson that this is a Bill of very far-reaching importance and it will have to be considered in detail before it is rushed through so hastily. In fact, it would have been much better if a Bill of this nature, although it is a very short one, were circulated for eliciting public opinion thereon. At the time when it was referred to the Select Committee we were told that the period of Ordinance expires by the 25th March and it is necessary to have those powers which the Ordinance gave them for some time more. In fact, the House at that time had perhaps no time to consider the provisions of the Bill and the effects of the Bill on the export and import trade. Since it was referred to the Select Committee, we have had sufficient time to consider it. Really speaking, I find that in view of the existing law, it is unnecessary to have such wide powers in peace times. It was all right when the war was on, but in peace conditions I do not see any necessity for these powers. The object of the Bill seems to be to restrict imports and exports, and if the Government possesses those powers under the existing law, I do not see the necessity of having a new enactment. In fact, I may draw your attention to section 19 of the Sea Customs Act. That section provides that the Central Government may, from time to time, by notification in the official Gazette, prohibit or restrict the bringing or taking by sea or by land of goods of any specified description into or out of British India. That gives sufficient powers to the Government to restrict or prohibit any import or export of goods. This law stands from 1878 and if these powers are already vested in the Central Government, I do not see the necessity of this war time legislation being continued even during the peace times. What I am afraid of is that under the powers that are being given under Bill there will be widespread corruption, nepotism and favouritism and that should be avoided in peace times at least. I suppose, as was just now observed by my Honourable friend Mr. Lawson, so far as controls are concerned, they are no longer wanted. They are being resented and I think the controls, apart from the merit or demerit of them, have demoralised the society to such an extent that all of them are stinking into the nostrils of everybody. It is true that controls are a necessary evil sometimes and therefore for some time they should be continued. In fact, the other day, while discussing the cut motions, food was a factor which was excluded from the de-controlling because we find India today is in the grip of famine. Therefore, for some time equal distribution of food is a necessity and for that purpose control may be necessary, although it may bring in its wake certain undesirable factors. But it is not so here. So far as powers to restrict exports and imports are concerned, as was just now observed by the Honourable Member in charge, and in order that the indigenous industries may not be affected, that power does exist today. For instance, even after the Ordinance was promulgated and which Ordinance is going to expire on the 25th March, I find goods, not of necessity but of luxury, are being flooded in the market and I do not see any attempt being made on the part of the Government to restrict such goods. On the contrary, they are coming in such large numbers and at such high prices that it is very difficult to control them. I do not understand why the Honourable Member in charge has not taken any steps to check them. He hails from Bombay and he must have noted what is happening. Although he has got the powers under the Ordinance, he has not controlled them so far. But my view is this that in taking these powers under the new Act and this is going to remain on the statute book for three years, there is the further danger of corruption and demoralisation. Sir, we are living in days of democracy and we expect at least the fundamental principles of democracy to be observed. That fundamental rule of democracy is that such wide powers should not be given to Government and no individual member should be restricted and Government should be given the least powers where these would be absolutely necessary, but beyond this to give wide powers in the same way as they are sought to be taken

[Mr. P. B. Gole.]

~~under~~ this Bill it is most dangerous to democracy. I therefore think that instead of ~~having~~ this Bill, if we had heard something from the Honourable Member as to why section 19 of the Sea Customs Act is not effective and not enough, but ~~further~~ more powers are required in order to restrict import and export of

5. P.M. certain commodities, then I would have very well understood.

Mr. Deputy President: If the Honourable Member will take some more time, to finish his speech, then the House will adjourn now.

Mr. P. B. Gole: I will take some more time, Sir.

Mr. Deputy President: The House will now adjourn.

The Assembly then adjourned Till Eleven of the Clock on Tuesday, the 18th March, 1947.