

Thursday, 22nd February, 1945

COUNCIL OF STATE DEBATES

(OFFICIAL REPORT)

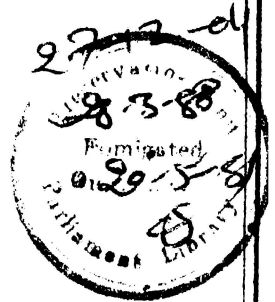
VOLUME I, 1945

(15th February to 14th April, 1945)

EIGHTEENTH SESSION

OF THE

FOURTH COUNCIL OF STATE, 1945



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI,
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI
1945

CONTENTS

	Pages.		Pages.
Thursday, 15th February, 1945—		Wednesday, the 14th March, 1945—	
Members Sworn	1	Questions and Answers	251—271
Questions and Answers	1—11	Notice of Motion for Adjournment—Disallowed	271—272
Notices of Motions for Adjournment—Disallowed	11—13	Information promised in reply to questions laid on the table	272
Information promised in reply to questions laid on the table	13—19, 27—28	Statements, etc., laid on the table	272—273
Statements, etc., laid on the table	20—27, 28—41	Standing Committee for the Department of Information and Broadcasting	274
Messages from His Exoellency the Viceroy and Governor General	42	Standing Committee for the Civil Defence Branch of the Defence Department	274
Committee on Petitions	42	Standing Committee on Emigration	274
Congratulations to recipients of Honours	43	Resolution re Working of the Defence of India Act and Rules—Negatived	274—283
Governor General's assent to Bills	44	Resolution re Post-war development of industries, etc.—Negatived	283—308
Bill passed by the Legislative Assembly laid on the table	44	Resolution re Economic sanctions against South Africa—To be continued	309
Presentation of the Railway Budget, 1945-46	44-52		
Friday, 16th February, 1945—		Wednesday, 21st March, 1945—	
Member Sworn	53	Members Sworn	311
Questions and Answers	53—57	Questions and Answers	311—325
Death of Khan Bahadur Muhammad Yahya	73	Notice of Motion for Adjournment—Disallowed	326—328
Resolution re Cottage industry of dyeing and printing (cotton cloth)—To be continued	73—74	Standing Committee for the Legislative Department	328—329
Resolution re Accidents caused by military vehicles—Withdrawn	74—82	Standing Committee for the Department of Posts and Air	329
Resolution re Reservation of accommodation on railways for the civilian population—Withdrawn	82—92	Standing Committee for the Home Department	329
Resolution re Future recruitment, etc., to the Civil Services controlled by the Secretary of State—Negatived	92—102	Standing Committee for the Labour Department	329
Tuesday, 20th February, 1945—		Standing Committee for the War Transport Department	329—330
Member Sworn	103	Central Advisory Council for Railways	330
Information promised in reply to questions laid on the table	103—116	Resolution re Representation at the Conference of Allied Nations to be held at San Francisco—Negatived	330—363
General Discussion of the Railway Budget, 1945-46	116—150	Resolution re Cottage industry of dyeing and printing (cotton cloth)—To be continued	363
Thursday, 22nd February, 1945—		Thursday, 22nd March, 1945—	
Questions and Answers	151—157	Questions and Answers	363—391
Resolution re Amendment of the Council of State Electoral Rules—Negatived	157—171	Resolution re Application of economic sanctions against South Africa—Adopted	391—402
Wednesday, 23rd February, 1945—		Caste Disabilities Removal Bill—Introduced	402
Members Sworn	173	Delhi Sikh Gurdwara and Religious Endowment Bill—Introduced	402
Presentation of the General Budget, 1945-46	173—187	Resolution re Daily broadcast in Hindi—Negatived	402—421
Wednesday, 7th March, 1945—		Code of Criminal Procedure (Amendment) Bill—Considered and passed	421—422
Questions and Answers	189—207	Tuesday, 27th March, 1945—	
Information promised in reply to questions laid on the table	207—211	Member Sworn	423
Statements, etc., laid on the table	211	Questions and Answers	423—439
Standing Committee for the Department of Information and Broadcasting	211	Statements, etc., laid on the table	439
Standing Committee on Emigration	211	Information promised in reply to questions laid on the table	439
Standing Committee for the Civil Defence Branch of the Defence Department	212	Standing Committee for the Food Department	439—440
General Discussion of the General Budget, 1945-46	212—249	Defence Consultative Committee	440

Pages.	Pages.
Tuesday, 27th March, 1945—<i>contd.</i>	
Standing Committee for the Industries and Civil Supplies Department	440
Central Committee of the Tuberculosis Association of India	440
Standing Committee for the External Affairs Department	440—442
Standing Committee for the Planning and Development Department	442
Standing Committee for Education	442
Standing Committee for Agriculture and Forests	442
Standing Committee for the Department of Education, Health and Lands	443
Standing Committee for the Commerce Department	443
Standing Committee for the Supply Department	443
Standing Committee for the War Transport Department	443—444
Resolution <i>re</i> Further amendments to the Resolution on Road Development—Adopted	444
Standing Committee for Roads, 1945-46	445
Indian Tea Control (Amendment) Bill—Considered and passed	445
Resolution <i>re</i> Cottage industry of dyeing and printing (cotton cloth)—Adopted	445—453
Statements of Business	453—454
Messages from His Excellency the Governor General	454
Indian Finance Bill, 1945—Laid on the table	454
Statement of Business	455
Wednesday, 28th March, 1945—	
Questions and Answers	457—469
Notice of Motion for Adjournment—Disallowed	469
Statements, etc., laid on the table	469—471
Finance Bill—Motion to consider— <i>to be continued</i>	471—498
Thursday, 29th March, 1945—	
Short Notice Question and Answer	499
Information promised in reply to questions laid on the table	499—502
Finance Bill—Considered and passed	502—542
Statement of Business	542
Reply by the Honourable Sir Jeremy Baisman to the felicitations of members	542
Friday, 6th April, 1945—	
Short Notice Questions and Answers	543, 558
Questions and Answers	543—557
Notices of Motions for Adjournment—Disallowed	559—561
Bills passed by the Legislative Assembly laid on the table	561
Information promised in reply to questions laid on the table	561—562
Resolution <i>re</i> Religious endowments—Withdrawn	562—564
Resolution <i>re</i> India's sterling balances—Adopted	564—576, 579—583
Standing Committee for the Department of Information and Broadcasting	576
Standing Committee on Emigration	576
Standing Committee for the Civil Defence Branch of the Defence Department	576—577
Standing Committee for the Posts and Air Department	577
Standing Committee for the Labour Department	577
Central Advisory Council for Railways	577
Standing Committee for the Legislative Department	577
Standing Committee for the Home Department	577
Standing Committee for the War Transport Department	577
Standing Committee for the Food Department	577
Defence Consultative Committee	578
Standing Committee for the Industries and Civil Supplies Department	578
Central Committee of the Tuberculosis Association of India	578
Standing Committee for the Commerce Department	578
Standing Committee for the Supply Department	578
Standing Committee for the External Affairs Department	578
Standing Committee for Education	578
Standing Committee for Agriculture and Forests	578
Standing Committee for the Department of Education, Health and Lands	578
Standing Committee for the Planning and Development Department	579
Standing Committee for Roads	579
Resolution <i>re</i> Emigration of labour to Burma, Malaya, etc.—Adopted	583—591
Statement of Business	592
Wednesday, 11th April, 1945—	
Questions and Answers	593—606
Short Notice Questions and Answers	607—608
Notices of Motions for Adjournment—Disallowed	608—610
Statements, etc., laid on the table	610, 610—611
Information promised in reply to questions laid on the table	610
Standing Committee for the Defence Department	611
Standing Committee for Roads, 1945-46	611—612
Factories (Amendment) Bill—Considered and passed	612—613
Indian Companies (Amendment) Bill—Considered and passed	613
Indian Merchandise Marks (Amendment) Supplementary Bill—Considered and passed	613

	Pages.		Pages.
Wednesday, 11th April, 1945—<i>contd.</i>		Saturday, 14th April, 1945—	
Repealing and Amending Bill— Considered and passed	613—614	Death of President Roosevelt	625—627
Indian Army (Amendment) Bill —Considered and passed	614—615	Questions and Answers	627—628
Indian Air Force (Amendment) Bill—Considered and passed	615	Information promised in reply to questions laid on the table	628—629
Statement of Business	615—616	Notice of Motion for Adjourn- ment—Withdrawn	629—630
Thursday, 13th April, 1945—		Bill passed by the Legislative Assembly laid on the table	630
Questions and Answers	617—622	Aligarh Muslim University (Amend- ment) Bill—Considered and passed	630, 631—632
Bill passed by the Legislative As- sembly laid on the table	622	Mines Maternity Benefit (Amend- ment) Bill—Considered and passed	631
Standing Committee for the Defence Department	622—623	Statement of Business	632
Standing Committee for Roads, 1945-46	623		
Indian Patents and Designs (Amendment) Bill—Considered and passed	623		

COUNCIL OF STATE

Wednesday, 22nd February, 1945.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the Chairman (the Honourable Sir David Devadoss), in the Chair.

QUESTIONS AND ANSWERS.

ARREST OF RAM SINGH, JAPANESE AGENT

47. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government state the circumstances relating to the arrest of an alleged Japanese agent, Ram Singh *alias* Mohamed Husain, his confinement in the Delhi Fort, the period of his detention and his escape from the Fort and his subsequent recapture ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I regret that in the interests of military security, I am unable to give the information asked for by the Honourable Member.

CHRISTMAS SPEECH OF HIS MAJESTY THE KING EMPEROR

48. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Has the attention of Government been drawn to the following noble expression in the Christmas Speech of His Majesty the King Emperor :—

“ The defeat of Germany and Japan is only the first half of our task ; the second is to create a world of free men, untouched by tyranny ” ?

(b) What specific steps have been taken, or are proposed to be taken to implement the second task of creating a world of free men so far as the political aspirations of India to be free are concerned ?

THE HONOURABLE SIR MAHOMED USMAN : (a). Yes.

(b) The policy of His Majesty's Government in regard to the future of India has been made clear in various pronouncements made from time to time, and I do not think I can usefully add to them.

CLAIMS OF INDIAN REFUGEES FROM BURMA

49. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Will Government make a statement regarding the latest position in connection with the claims of the Burma Indian refugees for compensation, as also similar claims, if any, put forward by Englishmen from India who had to leave Burma under the same circumstances ?

THE HONOURABLE MR. R. N. BANERJEE : The position with regard to claims for assets left behind in Burma is set out in this Department (then the Department of Indians Overseas) Press Communiqué, dated the 13th December, 1942, a copy of which is laid on the table. All claims preferred by Indian and non-Indian refugees from Burma which are received by the Government of India are recorded and passed on to the Government of Burma as the settlement of the claims is a matter for that Government to deal with.

THE HONOURABLE MR. G. S. MOTILAL : Have any claims also been received from Englishmen who were resident in Burma ?

THE HONOURABLE MR. R. N. BANERJEE : I require notice of that question, Sir.

PRESS COMMUNIQUE

CLAIMS REGARDING ASSETS IN ENEMY OCCUPIED AREAS.

A press communique issued last April stated that claims against the Governments of Burma and Malaya could be recorded with the Department of Indians Overseas for transmission to the Governments concerned.

As the Director General of Commercial Intelligence and Statistics is concerned with the recording of certain classes of claims, it has become necessary to explain what claims may be recorded with the Department of Indians Overseas.

NOTE.—Questions against the Honourable Raja Yuveraj Dutta Singh were put by the Honourable Mr. V. V. Kalikar—

The Department of Indians Overseas, which has been responsible for the welfare of Indian* in other parts of the Empire, will be prepared to receive and record claims which are *prima facie* registrable and relate to assets in other parts of the Empire for the time being under enemy occupation, or debts of moneys outstanding from any individual or body of persons resident there. These will include (1) claims against those Governments for goods supplied to civil departments or defence services under them or for goods lost which were insured under their War Risks Insurance Schemes; (2) claims of firms and individuals in India against firms and individuals in those territories; (3) properties and assets left behind in those areas. The Empire territories referred to are:—Burma, Malaya (consisting of the Federated Malaya States, the unfederated Malaya States and the Straits Settlements), Hong Kong, British Dependencies in Borneo (comprising Brunei, North Borneo and Sarawak) the portion of New Guinea in enemy occupation, and the Channel Islands. In the case of Burma claims may be sent to the Government of Burma, Simla, direct or through this Department. The Director General of Commercial Intelligence and Statistics deals with claims in respect of "non-Empire" countries.

It should, however, be understood that there is no guarantee that claims can be transmitted to the Governments concerned or will be considered by them till normal conditions are restored and that the Government of India do not guarantee their settlement.

DEPARTMENT OF INDIANS OVERSEAS,]

NEW DELHI;

December 13, 1942.

**INCONVENIENCE CAUSED TO PASSENGERS AT VIRAMGAM CUSTOMS CORDON,
KATHIAWAR**

50. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Are Government aware of the hardships and inconvenience to passengers at the Viramgam Customs Cordon in Kathiawar; and will Government state the steps which have been taken or are proposed to be taken to remove the complaints of the public in this connection?

THE HONOURABLE SIR CYRIL JONES : Government have seen a number of references to this subject in the Press and have made inquiries. In the main they believe the complaints to be unjustified, but some defects have come to light and steps have been taken to remove them so as to cause a minimum of inconvenience to Passengers.

**REPRESENTATION OF INDIA AT THE CONFERENCE OF INTERNATIONAL AIR TRAFFIC
OPERATORS**

51. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : (a) Will Government state whether India was represented at the Conference of International Air Traffic Operators which met in London about the beginning of May last and on which about 14 countries were represented? Who represented India at this Conference?

(b) Will Government state what steps have been taken to see that the interests of this country may not suffer in any way by any decision arrived at by this conference or any future session of it?

THE HONOURABLE SIR MAHOMED USMAN : (a) The Government of India was not represented at the Conference referred to by the Honourable Member. The Conference was convened for mutual consultation between operators of air services and was a private gathering with no official representation.

(b) Does not arise.

-POLICY OF ALL-INDIA RADIO IN RESPECT OF HINDI

52. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Are Government aware that there is a widespread feeling of discontent and resentment at the anti-Hindi policy of All-India Radio; and have Government received any complaint or representation on the subject? If so, what steps have been taken or are proposed to be taken in this connection?

THE HONOURABLE SIR MAHOMED USMAN : Government are aware that there has been some criticism and have received a number of complaints. The attention of the Honourable Member is invited to the Press Communiqué on the subject issued by the Government of India on 14th February, 1945, a copy of which is laid on the table of the House.

The Honourable Sir Syed Sultan Ahmed, Member in charge of the Department of Information and Broadcasting, met in special conference the representatives of the Anjuman-i-Taraqqi e-Urdu consisting of Dr. M. Abdul Haq, Dr. Abdul Sattar Siddiqui and Pandit Brij Mohan Dattatrya Kaifi and of the All-India Hindi Sahitya Sammelan, consisting of Sri Pandit Sampurnanand, Sri Mauli Chandra Sharma and Swami Bhadant Anand Kausalyayan, and the Honourable Syed Hossain Imam, Member, Council of State, to arrive at a satisfactory solution of the Hindi-Urdu language problem in All-India Radio.

After giving very careful consideration to the views expressed by the representatives of the two bodies and by Mr. Syed Hossain Imam, the Government of India have taken the following decisions :—

I. *News, News Commentaries and Announcements.*—(1) There should not be separate Urdu and Hindi broadcasts of news, news commentaries and announcements, the language used being of the simplest variety, which is understood by the vast majority of the listeners in Hindustani-speaking areas.

(2) Where there is no appropriate Hindustani word, and a foreign word has to be imported: the basis of selection from an indigenous language, Persian, Arabic or English should be the widest intelligibility of that word in Hindustani speaking areas.

(3) Whenever foreign words are used, their deflections should conform to the grammar, not of the language from which they are taken, but of the grammar of Hindustani (e.g., if the word "station" were taken from English and adopted by Hindustani, the plural form should be "stationon" and not "stations"; similarly, "qaida" and "qaide" and not "qaida" and "qawaid" "fkr" and not "afkar", etc.). No word should be deliberately rejected merely on the ground that there is another word which expresses the same meaning. This should, however, be subject to the general principles that the more widely understood words are to be preferred.

(4) As regards pronunciation,

(a) the more current form of pronunciation should be preferred to the purest literary and etymological form.

(b) the name of a person should, as far as possible, be pronounced as he pronounces it himself; and

(c) for names of places, rivers, etc. the most widely current form should be preferred.

II. *Composite Programmes, e.g., Women's and Children's Programmes.*—The atmosphere of these programmes should not be exclusively allied to any one particular community.

III. *Talks.*—Talkers should generally be given latitude to use the style of language to which they are accustomed, but attempts should nevertheless be made to persuade them to use as simple a language as possible, so that the talk reaches the largest number of listeners.

In the selection of talkers every effort should be made to ensure equitable representation of talent drawn from all sections and communities and to reflect cultural and social needs and interests of the areas served by each station.

INFORMATION AND BROADCASTING DEPARTMENT,

NEW DELHI;

February 14, 1945.

IMPORT OF STEEL FOR THE MANUFACTURE OF BICYCLES

53. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that the Government of India have refused to grant import license to the Hind Cycle Company of Bombay to import special steel from America required for the manufacture of cycles?

THE HONOURABLE MR. RAM CHANDRA: Certain indents placed by the Company for supply of special steel from the U. S. A. were actually supported by Government, but the demand was not accepted as the supply position in the U. S. A. was tight. Arrangements were however made to obtain the steel from the United Kingdom, and import licences were issued.

IMPORT OF STEEL FOR THE MANUFACTURE OF BICYCLES

54. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Is it a fact that the British manufacturers had promised to give special steel to the Hind Cycle Company of Bombay, but the Government of India have refused to issue the necessary permit license? If so, why?

THE HONOURABLE MR. RAM CHANDRA: No, Sir. Licences have been issued.

DEPORTATION OF INDIANS FROM MADAGASCAR.

55. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** : Will Government state the facts and circumstances relating to the deportation of about 8 Indians from Madagascar to India sometime back, who had to leave their wives and children behind? Have Government made any inquiry, and what steps, if any, have been taken in the matter?

THE HONOURABLE SIR MAHOMED USMAN : Nine Indians were deported from Madagascar in May, 1944. It was alleged that these persons had committed various offences ranging from vagrancy and drunkenness to failure to pay taxes, black market activities, forgery, usury and other dishonest practices and offences against war regulations. They were deported under the Governor General's orders. It has been reported by His Majesty's Consul General at Tananarive that those persons have been convicted of different offences at various times.

2. His Majesty's Consul General has been requested to furnish a full report on each case and it has been suggested to him that the French authorities should be moved to permit these persons to return to Madagascar on the ground that they have left their families there. The Consul General's reply is awaited.

THE HONOURABLE MR. HOSSAIN IMAM : When are we to expect a reply from the Consul General?

THE HONOURABLE SIR MAHOMED USMAN : When we receive it.

DISPOSAL OF LEND-LEASE MATERIAL AFTER THE WAR

56. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** (a) Are Government negotiating with the U. S. A. regarding the disposal of Lend-Lease goods and assets, in view of the early termination of the war?

(b) Will Government state whether the cost of reverse Lend-Lease materials supplied to America by India for aiding China would be debited to India or not?

(c) Will Government make a statement with regard to the proposals and decisions referred to in (a) and (b) above?

THE HONOURABLE SIR CYRIL JONES : (a) and (c) I would refer the Honourable Member to the reply given to his question No. 92 on the 16th November, 1944, to which I have nothing to add at this stage.

(b) and (c) The cost of materials supplied to the United States of America forces for aiding China would not be charged to India as Reciprocal Aid.

THE HONOURABLE MR. HOSSAIN IMAM : To whom will it be charged?

THE HONOURABLE SIR CYRIL JONES : Presumably to H. M. G.

THE HONOURABLE MR. HOSSAIN IMAM : For instance, the oil pipeline which has been built in Assam : will it be debited to India or to H. M. G.?

THE HONOURABLE SIR CYRIL JONES : If the Honourable Member desires information on specific cases, I am afraid I must ask for notice.

TEMPORARY APPOINTMENTS TO THE INDIAN CIVIL SERVICE AND INDIAN POLICE

57. **THE HONOURABLE MR. G. S. MOTILAL** : Will Government state :—

(a) the number of military men and civilians appointed to temporary civil appointments in the I.C.S. and I.P.S. cadres since 1st November, 1944, their qualifications, and their salaries;

(b) how many more such appointments have to be made during the current official year;

(c) whether these appointments are made by inviting applications through public advertisements in newspapers or whether they are made by selection from those recommended by officers, civil and military, and public men; and

(d) the period for which these appointments have been made and the conditions of appointment?

THE HONOURABLE MR. E. CONRAN SMITH : (a), (b) and (d) The Honourable Member is presumably referring to the scheme for the temporary reinforcement of the civil administration by officers taken from the Defence Forces. Such officers are not made members of the Indian Civil Service, the Indian Police or any other regular service. Their individual qualifications cannot be stated but they are being employed in the posts for which their qualifications make them most suited and where they are most needed. Fifty-two military officers have been appointed since the 1st November, 1944. Several hundred officers are required under the scheme and as many candidates as are found suitable will be appointed during the current financial year. As regards their salaries and conditions of employment, the attention of the Honourable Member is invited to the reply given to question No. 50 asked by the Honourable Mr. V. V. Kalikar on the 14th November, 1944.

(c) Applications are called for from members of the Defence Forces and they are sifted by Regional Selection Boards in the first instance. The final Selection Board consists of civil and military officers, the Chairman of the Federal Public Service Commission being the President of the Board.

THE HONOURABLE MR. G. S. MOTILAL : Do I understand that no qualifications which are considered as suitable are laid down ?

THE HONOURABLE MR. E. CONRAN-SMITH : I have already referred the Honourable Member to the Special Indian Army Order in which all the facts are stated and full details given.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : Has any one been appointed who is not even a graduate ?

THE HONOURABLE MR. E. CONRAN-SMITH : I should think quite likely.

THE HONOURABLE MR. HOSSAIN IMAM : As regards (d), the period of these appointments, did the Honourable Member say anything ?

THE HONOURABLE MR. E. CONRAN-SMITH : This matter has been fully debated on the floor of this House. It has also been the subject of several questions, and I think the Honourable Member might have made himself familiar with the answer to his own question. It was stated in the Indian Army Order and in the Press Communiqué that the period of service would be the period of the war in the Far East and probably some period thereafter.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : Is university qualification a test for their being appointed ?

THE HONOURABLE MR. E. CONRAN-SMITH : I have already referred the Honourable Member to the reply given to a question in which all the facts are stated.

THE HONOURABLE MR. HOSSAIN IMAM : May we ask that this "some period thereafter" may be explained ?

THE HONOURABLE MR. E. CONRAN-SMITH : I am afraid I cannot interpret "some" any more than the Honourable Member can.

DEATHS IN BENGAL, ETC., DURING 1943-44

58. **THE HONOURABLE MR. G. S. MOTILAL :** What is the total number of deaths due to starvation, malnutrition, exposure to cold, wind and rain, in Bengal, Bihar and Malabar during 1943 and 1944 ?

THE HONOURABLE SIB JOGENDRA SINGH : Deaths are not recorded under the headings mentioned by the Honourable Member. A statement showing mortality figures as recorded in Bengal, Bihar and the Malabar District of the Madras Presidency for the year 1943 and 1944 (up to September) is, however, laid on the table.

Statement showing figures of mortality due to various causes in Bengal, Bihar and Malabar District during 1943 and 1944 (up to September).

Cause	1943			1944 (up to Sept.)		
	Bengal	Bihar	Malabar	Bengal	Bihar	Malabar
Cholera	214,175	51,684	28,432	40,919	71,864	93
Smallpox	22,005	3,066	418	134,819	7,419	794
Plague		266	84	3	785	180
Fever	1,123,838	461,786	19,419	815,423	358,120	15,548
Dysentery and Diarrhoea	91,972	2,892	11,067	47,612	2,220	6,842
Respiratory diseases	76,912	1,971	8,816	59,252	1,547	6,498
All other causes	344,847	72,489	56,551	181,256	46,603	41,283
Total deaths	1,873,749	594,154	124,787	1,279,284	488,558	71,258

DEATHS OF DESTITUTES IN CALCUTTA

59. THE HONOURABLE MR. G. S. MOTILAL: What is the number of destitutes who died in Calcutta during 1943 and 1944?

THE HONOURABLE SIE JOGENDRA SINGH: The number of persons cremated and buried at the expense of the Corporation of Calcutta in 1944 was 9,900. Complete information for 1943 is not immediately available and will be laid on the table of the House when it is received.

DERAILMENT OF THE PUNJAB MAIL NEAR ARRAH.

60. THE HONOURABLE MR. G. S. MOTILAL: (a) Has Government's attention been drawn to the statement of Mr. Mulchand M. Shah, Personal Assistant to the Mayor of Karachi, regarding the lack of relief measures taken by the Railway authorities for the relief of the victims of the Punjab Mail derailment near Arrah on November 22, 1944?

(b) If so, is it a fact that after two hours of the accident a light, cold and useless tea was given from the restaurant car to some of the passengers while the rest were told that they would be supplied with tea later when the relief train arrives on the spot?

(c) Is it a fact that on the arrival of the relief train the Railway caterer served tea and toast to the military personnel and none else?

(d) Is it also a fact that Mr. R. K. Sidhwa, former Mayor of Karachi, who was also injured did not get even tea until 11 A.M.?

(e) Will Government state the exact time when the accident happened and the exact time of the arrival of the first relief train?

THE HONOURABLE SIE ARTHUR GRIFFIN: (a) Yes.

(b) & (c) There is nothing in the report of the Government Inspector of Railways (Posts and Air Department) to support these allegations.

(d) No.

(e) The accident occurred at 00-43 hours and the Government Inspector gives the time of arrival of the first relief train as at about 04-00 hours.

THE HONOURABLE MR. G. S. MOTILAL: Was any inquiry made from the Mayor of Karachi or his Secretary, Mr. Shah?

THE HONOURABLE SIE ARTHUR GRIFFIN: I understand that the Personal Assistant to the Mayor of Karachi did not give evidence. He did not appear although he was asked to do so.

THE HONOURABLE MR. G. S. MOTILAL: Was any inquiry made from the Mayor?

THE HONOURABLE SIE ARTHUR GRIFFIN: If Mr. Sidhwa is referred to, he gave evidence before the Government Inspector.

DERAILMENT OF THE PUNJAB MAIL NEAR ABRAH.

61. THE HONOURABLE MR. G. S. MOTILAL: Will Government state:—

(a) the total number of passengers in the train at the time of the accident, (b) the number killed, (c) the number injured, and (d) the number treated for injuries?

THE HONOURABLE SIR ARTHUR GRIFFIN: (a) Approximately 640.

(b) Eight.

(c) Eighty-eight.

(d) Fifty-three were admitted into the various hospitals. Thirty-five were given first-aid on the site of the accident and allowed to proceed.

DERAILMENT OF THE PUNJAB MAIL NEAR ABRAH

62. THE HONOURABLE MR. G. S. MOTILAL: What was the nature of the help rendered by the military after the accident? Is it true that the authorities on the spot prevented non-official relief being given to the victims of the accident?

THE HONOURABLE SIR ARTHUR GRIFFIN: I cannot do better than quote the Government Inspector's remarks:—

"Great credit is due to the military personnel and some of the medical men amongst the passengers on the train for the promptness with which they organised rescue work in the dark".

Presumably, this rescue work entailed the locating and extraction of the dead, injured and other passengers, clearing wreckage, giving first-aid, extracting passengers' belongings from the debris, etc.

The Government Inspector's report makes no mention of any refusal of non-official relief.

(The Honourable Haji Syed Muhammad Husain, in whose name stood the first Resolution on the Agenda, was absent when called.)

RESOLUTION RE AMENDMENT OF THE COUNCIL OF STATE
ELECTORAL RULES

THE HONOURABLE MR. G. S. MOTILAL (Bombay: Non-Muhammadan):
Sir, I move:—

"This Council recommends to the Governor General in Council that in the event of its being decided to hold a general election to constitute a new Council of State under the constitution provided in the Government of India Act of 1919, the relevant rules be amended in conformity with the provisions of the Act, so as—

- (a) to raise the number of elected members of the Council of State to forty;
- (b) to detach the Province of Sind from the non-Muhammadan constituency of the Province of Bombay;
- (c) to form one or more separate non-Muhammadan constituency or constituencies in Sind and allot one or more elected seats to it or them;
- (d) to divide the non-Muhammadan constituency of the Province of Bombay into three constituencies;
- (e) in the event of four seats being allotted to the non-Muhammadan electorate in the Province of Bombay on redistribution of the increased number of elected seats, to divide the constituency into four suitable constituencies; and
- (f) to broaden the franchise for elections to the Council of State".

Sir, the atmosphere is thick with speculation as to the holding of a general election for the Assembly and the Council of State. I do not know what decision the Government have taken. They have not yet declared their decision with regard to the holding of general elections for the Assembly and the Council of State. But I do not want to be caught napping. They may take a decision that the election should be held this year or they may not do so. But we have to be vigilant and bring forward suggestions which I have done in this Resolution.

Sir, this Assembly is ten years old and this Council of State eight years old. The Assembly was elected by a general election in 1934, and the Council of State was elected by a general election in 1936. The ordinary life of the Assembly is three years and that of the Council of State five years. In normal circumstances there

[Mr. G. S. Motilal.]

would have been three more elections to the Assembly and one election to the Council of State. But certain circumstances intervened which made the Government of India postpone these elections. The circumstances that intervened and that brought about the postponement of the elections may be stated here. First of all, the 1935 Act, which was enacted by the British Parliament for the Federal constitution of India and for the Provincial constitutions, was completed in the year 1935. That Act was to be brought into operation as soon as possible. The Provincial part of it, what is known as Part III of the Act, was brought into operation and it started functioning from 1937. It was expected that the functioning of the Federal part of the 1935 Act will take a year more but it did not come into operation and function until the year 1939. Another circumstance intervened and that was the war. The elections were postponed again because of the war.

During the war the Government of India thought that elections should not be held. I think the suggestion was made in this House as well as in the other place that elections should be ordered and held. There is another circumstance which we have also got to take into consideration and that is the Declaration of His Majesty's Government that immediately after the cessation of hostilities a constituent assembly will be set up to draw up the constitution for India; and that Declaration stands, has been open and is open. I should think, Sir, that immediately after the cessation of hostilities it is very likely that the constituent assembly will be set up and a new constitution provided. That would again stand in the way of new elections being held. But the ways of the Government of India are certainly strange and if they do, in spite of all these circumstances, put off the constituent assembly and order our elections to be held, then in that event I suggest that the number of elected members of this House be raised to 40.

I shall read out to the House the relevant sections of the Government of India Act so that Honourable Members may follow the constitutional position. Section 63A (1) reads thus :

"The Council of State shall consist of not more than sixty members nominated or elected in accordance with rules made under this Act, of whom not more than twenty shall be official members".

So, Sir, the raising of the number of elected members is a matter of rules. It does not require any amendment of the Act. How and by whom are the rules to be made? This section does not say how the rules are to be made and I shall therefore refer to the sections which lay down by whom the rules are to be made. I shall draw the attention of the House to section 64, sub-section (1), which says :

"Subject to the provisions of this Act, provision may be made by rules under this Act as to—

(a) the term of office of nominated members of the Council of State and the manner of filling casual vacancies occurring by reason of absence",

and so on. It is not relevant to read the rest of the section and therefore I do not propose to do so. I shall read out now sub-sections (b) and (c) which are as under :—

"(b) the conditions under which and the manner in which persons may be nominated as members of the Council of State or the Legislative Assembly; and

(c) the qualifications of electors, the constitution of constituencies, and the method of election for the Council of State and the Legislative Assembly****".

Even this section does not say who is the authority for making these rules. We have therefore to turn to section 129. It is an omnibus section which falls under Part XII. The heading is Supplemental. Section 129A reads :—

"(1) Where any matter is required to be prescribed or regulated by rules under this Act, and no special provision is made as to the authority by whom the rules are to be made, the rules shall be made by the Governor General in Council, with the sanction of the Secretary of State and shall not be subject to repeal or alteration by the Indian Legislature or by any local Legislature.

(2) Any rules made under this Act may be so framed as to make different provisions for different provinces.

(3) Any rules to which sub-section (1) if this section applies shall be laid before both Houses of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House of Parliament within the next thirty days on which that House has sat after the rules are laid before it praying that the rules or any of them may be annulled, His Majesty in Council may annul the rules or any of them and these rules shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder".

I have read out sub-section (3) in order that it may not be said that I have read out only sub-sections (1) and (2). This makes the position clearer. So, Sir, what is required is not an amendment of the Act but an amendment of the rules by the Governor General in Council with the approval of the Secretary of State and those rules have to be laid before both Houses of Parliament for being annulled and if they are not annulled, then the rules stand good. This is the constitutional position.

I shall now refer to the rules framed under this section. Rules were framed by the Government of India under this section. There are two copies. One is corrected up to 1935 and another is corrected up to 1937. I shall first read from the earlier one. These are the rules which were framed by the Governor General in Council with the approval of the Secretary of State in Council. Rule 3 says:—

“*Composition of Council of State.*—The Council of State shall consist of 33 elected members and 27 members nominated by the Governor General of whom not more than 20 may be officials and one shall be a person nominated as the result of an election held in Berar”.

Sir, this was before the 1935 Act came into force and before Burma was separated from India. On separation of Burma the rules were changed and when these rules were changed a retrograde step was taken by the Government of India. The number of elected seats was reduced from 33 to 32 and the number of nominated seats was reduced to 26. Now coming to the elected members, rule 4 says:—

“The elected members shall be elected by the constituencies specified in Schedule I, subject to the provisions of that Schedule in regard to constituencies entitled to elect in rotation, and the number of members to be elected by each constituency shall be as stated therein against that constituency; provided that the Governor General in Council may by regulation divide into two or more constituencies any of the plural-member constituencies and may distribute among the new constituency so created the seats entered in Schedule I against the constituency which has been so divided”.

So, Sir, the division of the constituencies rests with the Governor General in Council again and so far as the division of the constituencies is concerned, I do not think it requires the sanction of the Secretary of State. However, I keep an open mind on the subject. If it does require the approval of the Secretary of State I do not think, Sir, that he will have any objection to a recommendation of the Governor General in this matter.

Sir, in the remote event, as I have said, of an election being held, I say, Sir, that the number of elected members should be raised to 40. Sir, as Gibbon—I do not refer to the Honourable Mr. Gibbons; his membership in this House reminds me of the great historian, Gibbon—said, ‘nomination robs representative institutions of their representative character.’ Sir, it is a truism. My friend may question but the authority of Gibbon is there. Does he question that Gibbon has said this or does he question the truth of that statement?

THE HONOURABLE SIR RAMUNNI MENON: Yes.

THE HONOURABLE MR. G. S. MOTILAL: Does he contest both? Well, I see he is silent. Sir, this is the opinion of a great authority. Sir, if any proof was required to substantiate that statement this Council affords ample proof of it. This Council today is nothing more than a replica of a sick man of Delhi. A House like this, if it has an overdose of nominated representatives, lacks vigour and life, and that is evident to every member of this House as well as to any other person. For this reason, Sir, I plead, and plead very strongly, that the number of elected members should be raised to 40. In the name of constitutional advance, I appeal to the sense of patriotism of the members of this House to support this Resolution. Sir, when elections are held, if they are held on the basis of the Council as it stands, then let me tell you one thing: the country will demand the abolition of this Council itself. If you do not go further but say, “Well, the number of nominated members should be retained” then what the Irish did in 1936 will be the demand of the country and the country will ask that the Council of State itself should be abolished. I want Honourable Members to keep all this in their minds. Don’t ignore all this. Advance with the time. If you do not advance, then the only course that you will have to face is the abolition of the Council itself.

Sir, now I should address my remarks with regard to detaching the Province of Sind from the Non-Muhammadan constituency of the Province of Bombay. Sind at one time formed part of Bombay and it was separated from it and formed into a

[Mr. G. S. Motilal.]

separate Province and a constitution was given to it. When Burma was separated Burmese representation ceased in this House but Sind is part of India. It must be represented in this House.

THE HONOURABLE MR. HOSSAIN IMAM : Still part of India !

THE HONOURABLE MR. G. S. MOTILAL : Still part, and I hope that she will still remain part of India with her own willing desire.

Sir, so far as the Non-Muhammadan constituency is concerned—if you will allow me, Sir, to use another expression, a more popular expression than the technical expression of “Non-Muhammadan constituency”, I shall use the expression “General constituency”—in this General constituency Sind is still included. What is the result ? The constituency of Bombay which goes up in the north to Jacobabad and in the south to Harihar, which borders on the Mysore State is one of the largest constituencies, I think, in the world. So, Sir, after the separation of Sind it is desirable that those interests which are not represented in this House, should be represented in their own right. I myself do not understand why after the separation of Sind a separate General constituency was not provided for Sind and I think this is a demand which could not be in any way lightly taken. I hope it will be considered not only reasonable but eminently reasonable by Government and by the members of this House.

Then, Sir, part (c) requires that a General constituency or constituencies in Sind be formed. Well, that follows, Sir. If it is separated from Bombay then there should be a separate constituency one or more ; that is a matter to be considered when considering the whole question, but at present Sind Hindus have no representation as separate from Bombay and they should have at least one seat. That is my request to this House.

Sir, by clause (d) I ask that the Non-Muhammadan constituency in the Bombay Province be divided into three constituencies. At present we have a plural-member constituency in Bombay ; the electors in the whole of the Province of Bombay return three members to this House. I find that Madras has a plural-member constituency. It is for the members from Madras to say whether it shall be a plural-member constituency or whether they want it to be divided into single-member constituencies. Bombay Province, as I said, has a plural-member constituency of three members. I am putting forward Bombay's point of view, that it should be divided into three single-member constituencies. I find that Bengal offers a precedent. If a precedent is required, I shall cite Bengal. What is known as the non-Muhammadan constituency in Bengal is divided into two constituencies. The United Provinces is divided into three single-member constituencies representing certain parts of that Province. It must be known to Government that Bombay has got three Divisions—the Northern Division, the Central Division and the Southern Division. So, the frame-work is there. Whether they should go by each division, or whether certain districts should be grouped together, is a matter of detail and may be considered when all the material is before the Government. But a division is necessary so that the representatives may be in greater contact with the voters. They cannot be in touch with the voters of this whole area. If greater contact with the voters is to be achieved then such a change is necessary.

Then, Sir, in part (e) of my Resolution I have asked :—

“ in the event of four seats being allotted to the non-Muhammadan electorate in the Province of Bombay on redistribution of the increased number of elected seats, to divide the constituency into four suitable constituencies ”.

What will be the suitable constituencies is not for me to say at this juncture ; that will be a question, again, to be considered later. If Government propose to take some action, then they should bring forward their suggestion and consult this House and after consulting this House, they will be able to get more light on the subject and be in a position to decide the matter.

Coming to part (f), I ask that the franchise for the elections to the Council of State be broadened. This is the last suggestion, but not the least. I attach great importance to this suggestion. I do not know what is the number of electors in other provinces, but that number, I think, is very restricted. I know of my own

Province; the number of electors in my Province, including Sind, was, in the last election, about 2,000. Imagine, Sir, that to elect representatives of the Province the number of electors should be so small as 2,000. The people should get a larger representation, and I suggest that it should be not less than the representation suggested in 1935 Act. In the 1935 Act I believe the qualifications of the electors to the Council of State have been reduced; those who pay income-tax on Rs. 10,000—as against Rs. 30,000 under the present rules—are eligible to vote.

One more word and I shall resume my seat. This outworn constitution requires to be changed as far as it is in the power of the Government of India without an amendment of the Act. Under the 1935 Act, the Council of State was to be composed; so far as British India was concerned, of 156 members, 150 of whom were to come to that House by election and only six were to be nominated. That nomination was to take place not for the purpose of increasing the voting strength of Government, but to equalize the vagaries of election. It cannot be contended now that something less than that should be done. If it were open to me to ask under the 1919 Act that the whole House should be elected, I would do it.

I do not want this Council of State. I do not want this Assembly. What I want is a Constituent Assembly to frame the constitution as soon as practicable. But if that is not done and elections are held, then I want all these changes.

*THE HONOURABLE SIR A. P. PATRO (Nominated Non-Official): Sir, this Resolution recommends certain things to be done "in the event of it being decided to hold a general election to constitute a new Council of State". That is to say, this Resolution wants the Government to hold a general election to constitute a new Council of State under the constitution provided in the Government of India Act of 1919: This is expecting something to be done, and when it is done, that it should be done on the following lines. There is no suggestion that there is an impending change. It only speaks of "in the event of its being decided to hold a general election". We have no hint as yet that the Council of State is going to be newly elected at an early date.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY: A general election is over due.

THE HONOURABLE SIR A. P. PATRO: That a general election is over due is known to you and to me and to every man walking in the street. It does not require a member of the Council of State to come forward and say that general elections are over due. General elections are over due because, on account of unforeseen circumstances, they have been delayed. We do not know when it is to come.

This Resolution provides for something which is to come some time hence, not in the near future. Therefore, it seems to me that the Resolution, as framed, is not at all sound. It wants the relevant rules to be amended in conformity with the provisions of the Act in six respects. In none of these has the Mover taken into consideration the Southern constituency. He has taken Sind, Bombay and the parts with which he is familiar only into consideration. Therefore, the amendments proposed are not at all in conformity with statutory law. What is to be done if there is a defect in a constituency? There is a time for it and that time is after the war, when we have general elections, and at that time it would be desirable to press for whatever amendments we care for. To me, therefore, it seems that this Resolution is not only premature but is also unnecessary at present. The Honourable Member has stated in parts (a) to (f) the changes that he requires to be made. But these are amendments to be made without any change in the constitution but only in the rules. He wants:—

- (a) to raise the number of elected members of the Council of State to forty;
- (b) to detach the Province of Sind from the non-Muhammadan constituency of the Province of Bombay;
- (c) to form one or more separate non-Muhammadan constituency or constituencies in Sind and allot one or more elected seats to it or them;
- (d) to divide the non-Muhammadan constituency of the province of Bombay into three constituencies;

* Not corrected by the Honourable Member.

[Sir A. P. Patro.]

(e) in the event of four seats being allotted to the non-Muhammadan electorate in the Province of Bombay on re-distribution of the increased number of elected seats, to divide the constituency into four suitable constituencies."

These are the changes that the Honourable Member proposes but these can be more conveniently dealt with after the war. When it is decided that there will be a change in the constitution of the Council of State, then will be the time when all these proposals, which are in themselves very useful, may be considered.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY: You do not know; a general election may be held during the war.

THE HONOURABLE SIR A.P. PATRO: What a prophet he is! General election may be held during the war!

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY: Why not?

THE HONOURABLE SIR A. P. PATRO: Considering everything, a general election cannot be held in the near future. It can be held only after the war and there will be time enough to bring in such Resolutions, for the enlightenment of the authorities, whoever that may be, that will frame the constitution. I understood my Honourable friend to say that the authority to decide this question will be the non-officials, who should form into a committee and this committee should recommend the changes that are to be made and Government should adopt the changes whatever the change. It has yet to be decided whether the agency should be more a non-official agency than an official agency. I therefore submit that this Resolution is premature and it is not at all desirable to move any Resolution on this matter at present.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Sir, I have listened to the Honourable Mr. Motilal's speech with attention. When he accused the Government of India and said that they did not hold the elections during the war and allowed the Assembly to be ten years old and the Council of State eight years old, I thought that my Honourable friend had attached greater importance to the holding of elections than to the winning of the war. Of course, I do not agree with him. I may say at once that the arguments urged by him in support of parts (b) and (c) of the Resolution merit consideration. The Government of India are now in communication with the Governments of Bombay and Sind and subject to the views of these Governments they are prepared to consider action on the lines outlined in these parts of the Resolution.

Government, however, are not satisfied that a case has been made out for the acceptance of the recommendations made in the other parts of the Resolution.

The intention underlying part (a) of the Resolution, as I understand it, is to secure a majority for the elected members but that is the position even as the rules now stand, for the number of elected members exceeds the number of nominated members by six. This proportion was arrived at after careful consideration, having regard to the place which the second Chamber is designed to fill in the framework of the Constitution.

The questions raised in parts (d) and (e) of the Resolution are not so simple as the Honourable Member evidently takes them to be. Splitting of a plural-member constituency into several single-member constituencies raises difficult issues, both practical and political, in which it would be most inappropriate at this juncture to enter. The decision to have plural-member constituency was reached after elaborate inquiry and the present is hardly an appropriate time for re-opening it.

As for part (f), it should, I think, suffice to say that the franchise was deliberately so framed as to yield a selected and comparatively small electorate and it would not be wise to attempt a broadening of the franchise at this time of the constitutional arrangement.

As for the plea raised by him about the necessity of a constituent assembly, it is a matter I think for the Political parties to decide.

Sir, I have nothing more to say.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) :
 Mr. Chairman, if I stand to support the Resolution moved by Raja Govindlal Shivalal it should not be understood that we are content with the order of things which prevailing at the present moment. It may be that in despair at the attitude of His Majesty's Government we have decided to ask for this small change in the constitution, but we are malcontents. We are not content with the order of things and we do not wish to have anything less than full independence for the peoples of India. Sir, we cannot blind ourselves to the realities of the situation. The door is held by H. M. G. and Mr. Churchill has deliberately and consistently stated the viewpoint of the British people that he is not going to preside over the liquidation of the British Empire. Sir, the burden of the speeches that we heard from the two sides was as usual; the Centre block pleaded for the *status quo* to continue and the left is asking for an advance. As the Honourable the Leader of the House stated, this Resolution of Raja Motilal is really divisible into two parts, one is for internal arrangement for the Bombay Presidency to which the Honourable the Leader has expressed sympathetic consideration, and the other is for advance, to which we could not expect anything favourable from the right. Mr. Chairman, coming events, it is said, cast their shadows before. Is it not too late in the day for the Government to raise the plea of having a select and small constituency when they have already passed an Act in Parliament to increase this Council of State from 32 to 150 under the Government of India Act 1935? They have got six posts only for nominations at the discretion of the Governor General and I think Raja Motilal, coming from Bombay and suffering from the great malady of capitalism, is probably more conservative than the party to which he has the honour to lead. The reason why the Honourable Member has selected 40 is that under the Act the nominated members should be 20 in a House of 60. The reduction that has been made of two is consequential on the separation of Burma. Therefore he could not within the framework of the present constitution ask for any greater increase; otherwise I am sure he would have asked for a larger increase in the number of elected seats. When the seats are increased, our friends of the Centre may also be assured that there will be scope for their return too. The present unnatural state of affairs whereby members can come into the Legislature by what I would like to call the back door, the favour of the Governor General, is that which prevails in the world and as such our esteemed friends should be ready to fight it out. Some of them represent very important interests; and there is no reason why, if the constituencies are increased and special seats are allotted to them, they may not come in as full-fledged elected members. Among the nominated members, Sir, I find Indian Christians, the Scheduled Castes, Sikhs and non-Brahmins. They are all very important interests and no one on this side of the House would grudge due representation to all those new interests if constituencies are so increased as to make it possible for them to come in.

Mr. Chairman, although my Party has pledged itself to support and get Pakistan division of India, until that thing happens we are not going to sit idle; whatever there is to be had from the Centre we wish to have a due share in it. It seems rather strange that a Province as important as the Punjab should have a single Muslim seat at the moment. The Punjab has got one and a half seats, one seat alternately with Bihar Hindus. The combinations are rather strange. Assam has got half a general constituency and half a Muslim seat. In one Council we get a Muslim member and in the other we get a non-Muslim. I therefore think that at least these anomalies should be removed. If you cannot accept the full suggestion of Raja Govindlal, there is need for some small changes too, for instance, Punjab should have two permanent Muslim seats, and Bihar should have three Hindu seats. It is not that I am advocating the cause of my people alone. I want everybody should have full representation. Similarly Assam should have a constituency of Muslims as well as non-Muslims for every Council of State. Then I find that the Frontier Province has no elected seat. As a matter of fact, the reforms in the Frontier are so recent that it is not to be wondered at that the Act of 1919 did not provide for a separate seat for the Frontier Province. Baluchistan also deserves a seat, an elected

[Mr. Hossain Imam.]

seat. It is no good giving representation to a province and then getting a man from outside that province, from an Indian State, who has to masquerade as the representative of that province. I, Sir, for one am in favour of the changes suggested by Mr. Motilal in clauses (b) and (c) of his Resolution. They are very necessary changes. I wish the Government to examine the present position of the Council of State and give representation where it is due and not be afraid that any reduction in the nominated element will have such repercussions on the Government as they can not tolerate. They are so strong, Sir, that they can take the knocks every day from the Assembly and if they are knocked out in this House it will not distress them very much. They are, Sir, independent of and impervious of all the knocks that we may ever be able to deliver.

THE HONOURABLE SIR MAHOMED USMAN: That is the constitutional position.

THE HONOURABLE MR. HOSSAIN IMAM: That is what I am saying, Sir. There is no need to be afraid. Your work will not be hampered. Your work will go on being done as irresponsibly as today. It is only a consolation to get a victory in the Council of State. As a matter of fact, during the last 15 years that I have been in this House we have been able to defeat Government only once on a snatch division on a Resolution moved by a nominated member, of which we took advantage. Therefore, Sir, it would enliven the proceedings of the House and make the Government Benches a little more occupied than they are at the moment with four Honourable Members—if I am not mistaken with only three officials sitting on the Government Benches—when the fate of the nominated bloc is to be decided.

Sir, I give my wholehearted support to this Resolution.

THE HONOURABLE MR. THIRUMALA ROW (Madras: Non-Muhammadan): Mr. Chairman, Sir, I am not surprised at the reply given by the Honourable the Leader of the House on behalf of the Government because the task of carrying the war to a successful conclusion seems to have been weighing too much on his shoulders and he is overburdened on account of the heavy weight which he is carrying for the British Empire. I may however tell him that we have not to put the poser as he has proposed to put it: whether elections or the winning of the war is more important? I say if you want to win the war elections are of help to you. You are not going the right way if you are a sincere friend of the British Empire and if you want to help the British Empire you should satisfy the people and carry the people with you, because the Allies who have been actively and actually controlling the war, who have been sacrificing large numbers of their people and their wealth and their assets in this war, have not considered the elections as an obstacle or an impediment to a successful prosecution of the war. They were a help. Go to Australia. While they were in the midst of the conflict with the Japanese they carried on the elections. There were serious party strifes and one party gave way to another.

THE HONOURABLE SIR MAHOMED USMAN: In Australia there is no Congress Party preaching non-co-operation in the war.

THE HONOURABLE MR. THIRUMALA ROW: In Australia there is no Congress Party and there is not an exploiting, autocratic British Government also. Therefore, when there is one thing the other thing is always bound to exist. When there is action there is bound to be a reaction and when there is substance there is a shadow also. You cannot avoid it.

THE HONOURABLE MR. HOSSAIN IMAM: Who is substance and who is the shadow?

THE HONOURABLE MR. THIRUMALA ROW: The substance is the people of this country who will live in this country and the shadow is the British Government, which is bound to vanish tomorrow.

MR. CHAIRMAN (THE HONOURABLE SIR DAVID DEVADOSS): Please address the Chair.

THE HONOURABLE MR. THIRUMALA ROW: I beg your pardon, Sir, I will address the Chair.

With regard to Canada, they carried on the elections and another Prime Minister has come into power. In South Africa they had a general election and another Party has come into power. Leave alone these minor countries. In the U. S. A. they have carried on a general election including a wearing and tearing campaign by all Parties—even on the very issues of war and peace—and they elected their President, Mr. Roosevelt, for the fourth time. When all these countries which have been actively engaged in the war, which are more interested in the war than India, have carried on their elections, it is a lame and tame excuse on the part of the British Government to say that war must first come to a successful conclusion. They are afraid of facing the people and of facing the issues. They know the country's verdict is against them. They are not carrying the country and the people with them and they are afraid of carrying on the people with them. They want to continue to cling to these effete, obsolete, out of date institutions which do not represent anybody except themselves.

Sir, I hesitated to support this Resolution in the beginning. When we are faced with bigger issues, when the country is agitated with the cardinal principle of freedom for itself—a principle that involves its existence as a self-respecting nation amongst the other nations of the world, this is not a very important issue to be brought before this House on behalf of the Congress Party. But still as it gives an opportunity of expressing our dissatisfaction with the existing state of affairs, I have risen to support this Resolution. Sir, this is a House which has been, as the House of Lords has been described, a graveyard of many a good cause. It has been stated by my Honourable friend that during his experience of 15 years they have only been able to gain one snatch victory for a non-official Motion. It has been frankly and openly admitted by the Leader of the House that the franchise was deliberately so framed as to yield a selected and comparatively small electorate from the cream of the society in India. Sir, there are 26 nominated members and 32 elected members, who are hardly in their seats, and all these nominated members are whipped up by Government to be present here. I know of a nominated member from Madras who was told "If you cannot be present you should resign your seat. We will fill it up by another man." I quote one of the famous dictums by Sir Charles Todhunter who was a Member of the Executive Council in the old Legislative Council days. When a question was put to him: whether the nominated members are bound to vote with the Government always, he replied:

"They are the creatures of the Government and therefore they cannot go against their creators."

This will be found in the proceedings of 1921-22 of the Madras Legislative Council. In those days a man of the position of an Executive Councillor said that the nominated members are the creatures of the Government and cannot vote against their creator.

Then, Sir, it is an impossible task to convert this House. I have not come into this House to convert this House, or to do anything very useful for my country, except to raise my strong protest against the present order of things. A young British politician got despaired of convincing the House of Lords, when a senior politician advised him: "Go on a very cold winter morning into a graveyard and try to address the tombstones and convert them first. If you succeed in converting those tombstones then go to the House of Lords and try to convert it. It will be easier for you to convert the tombstones than the House of Lords." Therefore, it seems to me that this House is a similar institution designed—

THE HONOURABLE MR. HOSSAIN IMAM: I hope they are not dead yet.

THE HONOURABLE MR. THIRUMALA ROW: There is at least a section of the House which is alive and kicking but it has not the strength or the pull to alter the existing state of affairs.

Then, Sir, the last clause relates to the broadening of the franchise for elections to the Council of State. You have very carefully manipulated the franchise. You have put the property qualification on a very high level in a country whose average annual income per head is Rs. 75. A man should earn by whatever means he likes Rs. 20,000 a year and should be assessed for income-tax before he can stand for election to this House, or a man should pay Rs. 1,500 land tax per year before he can

[Mr. Thirumala Row.]

stand for election, or be a member of the Senate, a member of the Assembly, President of a District Board, Taluka Board or a Municipality. This franchise was designed as long ago as 1921 when the British Government was fairly well entrenched and could not anticipate the change that would be coming over the electorate after the advent of Gandhi and the much abused Congress. Even with the present electorate the base has not been broadened. But it has swelled from 3,000 to 5,000 in the Madras Province, and my election—I do not think I will be transgressing the bounds of modesty when I say this—my election is a direct vote of no-confidence against the existing state of affairs and against the British Government. The 5,000 voters, among whom there are very many high placed officials and many of the new-rich who have become rich on account of the war, have all voted solidly for the Congress. My opponents, four of them, had to lose their deposits, poor friends. And one of my opponents is the pet child of the Madras Government. He is petted; he is favoured; he is pampered. He runs a technical training centre. He runs a rag of a daily Telugu paper on behalf of war propaganda. He is an Honorary Lieutenant. He is a Rao Bahadur. He is a nominated president of a district board. And he is supposed—

THE HONOURABLE SIR MAHOMED USMAN: I do not think it is good taste to abuse a gentleman in his absence.

THE HONOURABLE MR. THIRUMALA ROW: I am not abusing him. I am giving you facts. If it is abuse, you can take it as such. When I say that a man is a nominated president of a district board, that he is an Honorary Lieutenant, that he is running all those institutions, if you take it as abuse, you may. I have not meant it in that sense. As I told you, all I wanted to say was that he was the most favoured man of Government in the whole Province. With all the prestige of Government at his back, with all the influence that he had, he could not get elected. The fact is, the electorate has substantially changed in its outlook; it is not what it was when my Honourable friends were sent to this House.

With regard to plural-member constituencies, I would like to point out that Madras is a Province of 26 districts. It is the second biggest province in India. It is second only to Bengal with regard to population, and with regard to extent it is second only to the United Provinces. In such a big province, with 26 districts and five crores of population, a candidate has to run about from Berhampore in Ganjam district down to Tuticorin in the extreme south—a distance of nearly 2,000 miles—to see his voters. It is a very unwieldy constituency, and it is a very troublesome job for anybody to contest and win an election. It is very difficult to maintain contact with such a large number of people spread over the whole Province. It can be conveniently divided into four areas, just as the constituencies are divided for the Central Assembly. You can thus make the constituencies less unwieldy and more approachable for the candidates. It will enable them to get into closer touch with the constituencies.

These are all of course minor points, and they can be dealt with if Government accept the Resolution. With regard to the general principles, I have got a negative reply from Government. Still I must say on merits that, even if the new constitution were to come into existence, I do not recognise the need for a second chamber in this country. Only one chamber, representative of all interests, is enough.

With these words, I support the Motion moved by my Honourable friend Mr. Moti Lal.

THE HONOURABLE SIR RAMUNNI MENON (Nominated Non-Official): Sir, I do not wish to engage the attention of the House for any length of time. Indeed there is very little that one can add to what has been said by the Honourable the Leader of the House and my Honourable friend Sir A. P. Patro. But I should like to make two observations of a more or less general character. Much has been said about the position of nominated members in this Council. I know it is a controversial subject and I do not wish to add to the controversy. But the provision for nomination is not such an unmixed evil as some of my Honourable friends would like to make out. I should like a certain event to be a little more widely known than it seems to be at

present, and it is this. The Congress Ministry in Madras in 1937 took advantage of the provision for nomination of members and got one of their party, a very distinguished gentleman, nominated to the provincial Council and made him a Minister; and it is generally acknowledged that he was one of the most successful members of the Ministry. I make a present of this information to my Honourable friends.

THE HONOURABLE MR. G. S. MOTILAL : Was it not for six months only ?

THE HONOURABLE SIR RAMUNNI MENON : No, for the whole period of the Ministry. I do not mind if the whole system of nomination is abolished altogether under the new constitution. All that I submit is this: Under the conditions that prevail in this country at present, there is full justification for retaining the nominated element in the constitution. For that matter, in one of the most democratic constitutions in the world, namely, the constitution of the United Kingdom, the House of Lords, about which my Honourable friend spoke at length, is a standing example of a practically nominated body. If the House of Lords can be retained in the United Kingdom without any disastrous consequences to the British constitution, I do not see why we should not retain the nominated element in our Indian constitution, either present or future.

The second remark that I wish to make on this subject is this. The proposal before us involves certain constitutional changes of an important character. We are all aware that important constitutional changes are pending in this country. It is only a question of the termination of the war before these changes can be decided upon and introduced. It is left entirely to the people of this country to introduce any change in the constitution that they like. But I rather deprecate attempts to introduce changes piecemeal and at an inopportune moment. What is the particular urgency for introducing these changes at the present time? The Honourable Mr. Motilal has not told us why it is considered urgent to introduce the particular changes that he proposes. I can see no reason. I think the best course will be to await the future course of events and at the earliest opportune moment introduce these and other necessary changes in the constitution.

THE HONOURABLE MR. G. S. MOTILAL : When will be that moment ?

THE HONOURABLE SIR RAMUNNI MENON : Well, whenever a moment can be found that is opportune. That depends very largely on the political leaders of this country themselves. It is not a matter for the Government of India. It is certainly not a matter for humble individuals like myself—belonging to the despicable class of nominated members.

THE HONOURABLE MR. THIRUMALA ROW : I did not say that.

THE HONOURABLE SIR RAMUNNI MENON : It is not for individuals like me. It is for people like the Honourable Mr. Motilal and their friends.

With these two observations, I feel that I cannot lend my support to the present Resolution which is of a rather far-reaching and drastic character.

THE HONOURABLE SIR GOPALASWAMI AYYANGAR (Madras : Mon-Muhammadan) : Mr. Chairman, I had really very considerable hesitation in rising to support the Resolution that has been moved by Raja Govindlal. But, after hearing the speeches that have been made in connection with this Resolution, I think it is necessary that I should rise and give my support to this Motion. A good deal has been said about nominated members. I do not think there is any need for us to go into any elaborate discussion as regards the relative merits of nominated and elected members in a House of this character. But it is a sufficient answer to any objection that is raised to the increase of the elected element in this House that we have in the 1935-constitution provisions which give a very predominant voice in the deliberations of this House to elected members. It is too late, as my Honourable friend Mr. Hossain Imam pointed out, to contend that nominated members might continue in this House and might also continue in the House that is to come after the new Constitution is framed. My hesitation originally as regards this Resolution was whether it was necessary to take all this trouble in the case of a House which is dying. But it looks as if, judging from the present situation of politics in this country and the

[Sir Gopaldaswami Ayyangar.]

attitude of the Government of India and of His Majesty's Government at the present moment, the death pangs of this House might be very much more prolonged than one should have expected in the present situation. It seems to me that it is impossible for us to visualize this very House, constituted as it is today, being continued in office until a House elected under a new Constitution comes into being. It seems almost inevitable that before that contingency materialises there must be a general election, or perhaps more than one general election, to this House. If that general election is to take place, it is advisable—it may not be altogether necessary from whatever achievements we might hope to make in this House but it is advisable—that we should improve the complexion of this House, if it is possible to do so, and I think the Resolution has put forward before the House certain proposals which would improve the complexion of this House so far as it is intended to reflect public opinion in this country. What is it that this Resolution asks for? It has made a certain number of very detailed suggestions as regards the Non-Muhammadan constituency of Bombay. With regard to the anomaly which is attempted to be rectified by clauses (b) and (c) of this Resolution the Honourable the Leader of the House has expressed his sympathy. With regard to the rest of the proposals, I do not think anybody can take exception to the proposals regarding the Bombay non-Muhammadan constituency on the merits. But it would, of course, be anomalous that changes should be made in the present rules relating to the constitution of this House which are intended to affect only one constituency, namely, the Bombay Non-Muhammadan constituency. But for this I think the Honourable Mover has provided in clause (a) of the Resolution. He has suggested that the number of elected members to this Council should be raised to 40 and it may be possible, if Government accept this Resolution, so to allocate the increased elected element as to remove other anomalies in the representation of Provinces which exist at the present moment. Some of these have been referred to by the Honourable Mr. Hossain Imam. There are others which can be rectified if the matter is examined with sympathy. Personally I do not see why the Government should not undertake this investigation at the present moment. For instance, when I stood for election to the Council of State, I had to reckon with an electoral roll which was about 10 years old. Now, my Honourable friend Mr. Thirumala Row, who has recently been returned, had the advantage of the roll being revised almost entirely before his election was held. The result was that there was a large increase in the total strength of the electorate and there was a large influx into it of people of various categories which enabled public opinion to be reflected perhaps better than the electorate by which I was elected could be considered to have reflected. If electoral rolls have to be revised whenever bye-elections take place, they have to be because the present electoral rolls are several years old—the opportunity can well be taken advantage of for readjusting constituencies and for preparing the electoral rolls on the basis of readjusted constituencies. The changes that have been suggested in this Resolution are changes which, I take it, are possible within the framework of the present Constitution. I think nothing fell from the lips of the Honourable the Leader of the House to indicate that there was any legal impediment to these changes being ordered at the present moment. The only question is one of the appropriateness of doing so at the present moment. I do not think it inappropriate especially because I feel that the Council of State, as constituted under the transitory provisions of the Government of India Act, will have to continue for some years to come before a new Council of State, based upon the provisions even of the 1935 Act, could be expected to come into being. That being so, Sir, it is necessary that the House should give its support to this Resolution.

THE HONOURABLE SIR SOBHA SINGH (Nominated Non-Official): Mr. Chairman, I had no mind to speak on this Resolution nor do I like to enter into a discussion between nominated and elected Members. But I feel that I would be failing in my duty if I did not point out the minority point of view if this Resolution is accepted. By accepting this Resolution my Honourable friend the Mover wants that a certain constituency, which he feels is unwieldy or is not suitable and perhaps not convenient to get into touch with the voters should be reconstituted. He wants to take away Sind and to confine his constituency to Bombay alone. I want to ask him what the position of the Hindus of Sind will be? Will they be given one or two

or three extra seats? What will be the communal proportion of Muslims and Hindus in the Council of State or in Sind? There is at present, as far as I understand, one Muslim representative for the whole of the Province of Sind. If the Hindu constituency is removed from Sind, naturally the next step will be that one or two non-Muhammadans should represent Sind—

* **THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY**: That is provided for in (c)—to form one or more separate non-Muhammadan constituency or constituencies in Sind.

THE HONOURABLE SIR SOBHA SINGH: The next question will be, "What about the other minorities"? If the number of elected members is increased in the Council of State, what about the Sikh minority? The Sikhs have got only one seat for the whole of India. What will be their position? Why should they be ignored after doing so much service to the country.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY: An increase may be made under clause (a).

THE HONOURABLE SIR SOBHA SINGH: It is not so easy a question as my friend has suggested. It has got a lot of complications and I wish that my friend does not press this Resolution to the vote.

THE HONOURABLE MR. G. S. MOTILAL: Sir, I listened very carefully to the speeches which have been made in opposition to this Resolution and I shall deal briefly with the points raised by the opponents of this Resolution. First of all, my Honourable friend Sir A. P. Patro said that it is changing the constitution. Of course we do want to change the constitution. The Resolution on the very face of it wants to increase the strength of the elected members. There was nothing else in his speech to which I should reply. There was no substantial objection which I could discover in his speech. I heard the Honourable the Leader with the attention that he deserves. At least one of the objections taken by him has been very ably answered from these benches. When I heard him say that I thought election was more important than war, I was wondering within myself whether he had forgotten that elections had taken place in the United States of America—

THE HONOURABLE NAWABZADA KHURSHID ALI KHAN (Nominated Non-Official): The conditions are different there.

THE HONOURABLE MR. G. S. MOTILAL: The same conditions do not obtain in any two countries, but the United States are as much interested in the war as—

THE HONOURABLE NAWABZADA KHURSHID ALI KHAN: It is one nation.

THE HONOURABLE MR. G. S. MOTILAL: It is one nation and we shall be one nation.

AN HONOURABLE MEMBER: It is not one nation.

THE HONOURABLE MR. G. S. MOTILAL: There are in the United States Germans, Italians, the English, the French, the Spanish and others. It is certainly no argument to say that the conditions are different or there is one nation there. Has anybody belonging to these so-called two nations ever objected to elections. Both of them have asked for elections. Elections took place also in Australia and Canada. In England they have been talking of election and the Labour leader has openly declared that soon after the war elections will be held. It is only this tardy Government of India which wants to put off elections in order to save their face. I did not in moving the Resolution press for the election now. I think the Honourable the Leader misunderstood me. I said "in the remote event of election being held", because I think soon after the war the constituent assembly is to frame a constitution. Other members have expressed some apprehension that the constituent assembly may not come into operation for some time more, looking at the ways which are now pursued by the British Government. If that is so, there is greater reason for the elections to take place.

Sir, my Honourable friend, Sir Ramunni Menon stressed the importance and the utility of nominated members. Sir, it is too late in the day to argue it that way. Except the nominated members, can he persuade any section of public opinion in this country to accept his view? I would like to ask if there is at least one important

[Mr. G. S. Motilal.]

association in this country to make such a representation to the Government. If at least one important association says that the present number of nominated members should be continued, then I will know that there is one important association to accept that view. Will there be one important association in the country to do it? No. Therefore, Sir, that argument does not hold water and no importance can be attached to it. I know they are very estimable members of this House. I am providing for only 40 elected members. Twenty will still be nominated. Today there are 13 official members. I do not know why there should be as many as that. You can reduce the number of official members to 10 and there can be 10 other nominated members to accommodate the views of friends like Sir Ramunni Menon. If I were abolishing the nominated element altogether, there might be some point in his speech.

Then, Sir, my friend Sir Sobha Singh said there is only one Sikh gentleman and if the number is increased, what will happen to this one member? There is one elected member. Others may be nominated. There will be 20 nominated seats and I do not see why Government should not be able to accommodate one or more Sikh gentlemen for that purpose. If the number of elected members is increased, there will be a greater chance of another Sikh member being elected to the House. Another point that he raised was about the constituency of Sind. I will draw his attention—I shall not say that he has not read the Resolution—I shall draw his attention to part (c) of my Resolution and if he reads it carefully he will find an answer to his objection. (c) reads "to form one or more separate non-Muhammadan constituency or constituencies in Sind and allot one or more elected seats to it or them". So, Sir, this is to be done when Sind is separated from the constituency of Bombay.

THE HONOURABLE SIR SOBHA SINGH : My objection was if you have one or more non-Muhammadan constituency, you will have to increase the Muhammadan constituency, because they will not accept it.

THE HONOURABLE MR. G. S. MOTILAL : There is already a separate Muhammadan constituency for Sind. So far as the Muhammadan constituency is concerned for Bombay and Sind, it is separate. You have from Sind a gentleman who is sitting here. That I think will satisfy my friend Sir Sobha Singh.

THE HONOURABLE SIR SOBHA SINGH : The number of non-Muhammadans will increase in the House.

THE HONOURABLE MR. G. S. MOTILAL : Certainly; proportionately the number of Muslims will increase. I do not see what objection there can be? There will be more Hindus as well as Muslims. I also feel that the North West Frontier Province which is unrepresented in this House should get a seat. These are consequential things. Every province will gain by it and will not lose by it.

One point more, Sir, which I think I should reply to. The Honourable the Leader of the House said that the purpose of the Act was that you may have only a small electorate. That view I respectfully dissent from. Why should it have been left to the Governor General in Council to change the qualifications if that was the purpose? Then they would have laid it down that these shall be the qualifications and no more. It has been left to the Governor General in Council, and the Governor General in Council with 11 Indians on it today claims to be representative of public opinion in this country. Are they now prepared to say that they shall have a Council of State for which a Province like Bombay should have only 2,000 voters? Sir, even the Parliament has gone further. Are we living in the year 1920 or in the year 1945 I ask the Leader of the House.

THE HONOURABLE SIR MAHOMED USMAN : 1945.

THE HONOURABLE MR. G. S. MOTILAL : What is the franchise under the 1935 Act? Can you not improve upon it and, if you cannot improve, can you not come to that level? Come to the 1935 level. We shall say then that at any rate we have come to the 1935 level. We all belong to a past age and therefore we are satisfied with the 1935 level. At any rate, that will be an improvement on 1919.

Sir, I think, I have answered all the points.

MR. CHAIRMAN (THE HONOURABLE SIR DAVID DEVADOSS): Resolution moved:—

" This Council recommends to the Governor General in Council that in the event of its being decided to hold a general election to constitute a new Council of State under the constitution provided in the Government of India Act of 1919, the relevant rules be amended in conformity with the provisions of the Act, so as—

(a) to raise the number of elected members of the Council of State to forty;

(b) to detach the Province of Sind from the non-Muhammadan constituency of the Province of Bombay;

(c) to form one or more separate non-Muhammadan constituency or constituencies in Sind and allot one or more elected seats to it or them;

(d) to divide the non-Muhammadan constituency of the Province of Bombay into three constituencies;

(e) in the event of four seats being allotted to the non-Muhammadan electorate in the Province of Bombay on redistribution of the increased number of elected seats, to divide the constituency into four suitable constituencies; and

(f) to broaden the franchise for elections to the Council of State".

Question put: the Council divided:

AYES 9

Abdool Suttar, Hon. Mr. Abdool Razak Hajee.
Ayyangar, Hon. Sir Gopalaswami.
Hossain Imam, Hon. Mr.
Kalikar, Hon. Mr. V. V.
Motilal, Hon. Mr. G. S.

Padshah Sahib Bahadur, Hon. Saiyed
Mohamed.
Roy Chowdhury, Hon. Mr. Susil Kumar.
Row, Hon. Mr. Thirumala.
Sinha, Hon. Kumar Nripendra Narayan.

NOES 23

Assadulla Khan Raisani, Hon. Sardar
Bahadur Nawab.
Banerjee, Hon. Mr. R. N.
Charanjit Singh, Hon. Raja.
Conran-Smith, Hon. Mr. E.
Das, Hon. Mr. M. L.
Ghosal, Hon. Sir Josna.
Gibbons, Hon. Mr. J. M. B.
Hissamuddin Bahadur, Brigadier the Hon.
Sir.
Jogendra Singh, Hon. Sir.
Jones, Hon. Sir Cyril.
Khurshid Ali Khan, Hon. Nawabzada.

Lal, Hon. Mr. Shavax A.
Mahomed Usman, Hon. Sir.
Menon, Hon. Sir Ramunni.
Mitha, Hon. Sir Suleman Cassum Haji.
Muhammad Hussain, Hon. Khan Bahadur
Mian Ali Baksh.
Mukherjee, Hon. Sir Satya Charan.
Noon, Hon. Sir Firoz Khan.
Patro, Hon. Sir A. P.
Prior, Hon. Mr. H. C.
Ram Chandra, Hon. Mr.
Sen, Hon. Mr. B. R.
Sobha Singh, Hon. Sir.

The Motion was negatived.

The Council then adjourned till Half Past Five of the Clock on Wednesday, the 28th February, 1945.