

Wednesday, 11th April, 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



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COUNCIL OF STATE
Wednesday, - 11th April, 1945

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

QUESTIONS AND ANSWERS

SEPARATE HINDI PROGRAMMES FROM ALL-INDIA RADIO

317. **THE HONOURABLE MR. G. S. MOTILAL :** (a) Do Government propose to enquire from radio licensees whether they desire a Hindi broadcast of news and other items from Delhi, Lucknow, Lahore and Peshawar in addition to the Hindustani broadcasts ?

(b) What steps do Government propose to take to satisfy the wishes of the licensees in regard to the Hindi broadcasts ?

(c) What steps do Government propose to take to remove the grievance of the Hindi-speaking public ?

THE HONOURABLE SIR MAHOMED USMAN : (a), (b) & (c). Attention is invited to the speech made by my Honourable colleague Sir Sultan Ahmed on 22nd March, 1945 in connection with my Honourable friend's own Resolution on the subject of separate Hindi Programmes from All-India Radio.

NUMBER OF RADIO RECEIVER LICENCES ISSUED IN 1944

318. **THE HONOURABLE MR. G. S. MOTILAL :** Will Government lay on the table a statement of the number of the licensees of the radio receiving sets and transmitters in each Province for the latest available year ?

THE HONOURABLE SIR MAHOMED USMAN : Sir, I lay on the table a statement giving the information required by the Honourable Member. I regret the information required is not available according to Provinces but is given according to Postal Circles.

Number of radio receiver licensees (Broadcast Receiver and Commercial Broadcast Receiver) issued including renewed in the various Posts and Telegraphs Circles during 1944

| Circles | Licensees |
|--------------------------------|-----------|
| Bengal and Assam | 35,623 |
| Bihar and Orissa | 6,573 |
| Bombay | 46,294 |
| Central | 7,535 |
| Madras | 29,508 |
| Punjab & N. W. F. | 44,923 |
| Sind and Baluchistan | 10,031 |
| United Provinces | 19,995 |

Number of licensees of wireless transmitters in the various Posts and Telegraphs Circles during 1944

| Circles | Licensees |
|--------------------------------|-----------|
| Bengal and Assam | 5 |
| Bihar and Orissa | 1 |
| Bombay | 7 |
| Central | 2 |
| Madras | 4 |
| Punjab & N. W. F. | 3 |
| Sind and Baluchistan | 1 |
| United Provinces | 3 |

EXPORT OF COTTON TEXTILES

319. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** : Will Government state whether there has been any export of textiles and cloth from India to other countries, during the last twelve months ? If so, will they lay on the table a statement showing the varieties of cloths, their quantities, and the countries to which they have been exported ?

THE HONOURABLE MR. N. R. PILLAI : Yes, Sir. The attention of the Honourable Member is invited to the reply given on the 6th April, 1945 to part (a) of question No. 290 by the Honourable Mr. Narayandas Girdhardas.

DRAFT HINDU CODE

320. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** : Will Government state whether steps have been taken to ascertain the views of the large number of Hindus serving in the Army, on the draft Hindu Code, in view of its highly controversial nature ? If so, what steps are being taken in this direction ?

THE HONOURABLE MR. SHAVAX A. LAL : The attention of the Honourable Member is invited to the reply given to the question No. 258 asked on the 28th March, 1945.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : Has the Honourable Member's attention been drawn to His Excellency the Commander-in-Chief's statement made some days back and reported in newspapers ?

THE HONOURABLE MR. SHAVAX A. LAL : No, Sir.

EXPORT OF TEXTILES TO EGYPT

321. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** : Is it a fact that about 3,000,000 yards of Indian textiles have been recently exported to Egypt ? If so, why ?

THE HONOURABLE MR. N. R. PILLAI : A small quota within the total Indian export allocation has been recently fixed for Egypt mainly with a view to enabling Indian mills and exporters to maintain their trade contacts in that market.

SMUGGLING OF CLOTH TO CHINA *Via* TIBET

322. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** : Is it a fact that a considerable quantity of cloth is being smuggled into China *via* Tibet, from Bengal and many other Provinces in India ? If so, what steps are being taken to prevent such smuggling ?

THE HONOURABLE MR. N. R. PILLAI : No, but effective steps are being taken to prevent any leakage that may have existed in the past.

THE HONOURABLE MR. THIRUMALA ROW : Has Government any information that some smuggling of cloth into China is going on ?

THE HONOURABLE MR. N. R. PILLAI : I said "No" in reply to that part of the question.

THE HONOURABLE MR. THIRUMALA ROW : Will the Honourable Secretary please refer to the answer given by his predecessor, which was to the effect that Government were aware that some smuggling of cloth into China was going on ?

THE HONOURABLE MR. N. R. PILLAI : I am not aware of the reply given by my predecessor, and I do not think that there has been any smuggling.

THE HONOURABLE MR. THIRUMALA ROW : Will the Honourable Secretary verify and let us know which is the correct answer ?

THE HONOURABLE MR. N. R. PILLAI : I shall do so.

NUMBER OF APPLICATIONS RECEIVED BY THE EXAMINER OF CAPITAL ISSUES

323. **THE HONOURABLE MR. NARAYANDAS GIRDHARDAS** : Will Government state the number of applications received from the various provinces separately for grant of permission for capital issue by the Examiner of Capital Issues, and the number of applications sanctioned and rejected, respectively ?

NOTE—Questions against the Hon. Raja Yuveraj Dutta Singh were asked by the Hon. Mr. N. K. Das.

THE HONOURABLE SIR CYRIL JONES : Records are not maintained separately by Provinces and the information cannot be supplied without the expenditure of undue time and labour.

FINAL AUTHORITY TO DECIDE APPLICATIONS REJECTED BY THE EXAMINER OF CAPITAL ISSUES

324. THE HONOURABLE MR. NARAYANDAS GIRDHARDAS : Will Government state who is the final authority to decide the applications for grant of permission for capital issues ? Does the Finance Member as the head of the Department scrutinise the decisions of the Examiner of Capital Issues ?

THE HONOURABLE SIR CYRIL JONES : The final authority is the Government of India in the Finance Department. I am not prepared to make any statement as to the extent to which the Honourable Member in charge of the department or any other Honourable Member participates personally in the disposal of individual cases.

FINAL AUTHORITY TO CONSIDER APPEALS AGAINST THE DECISIONS OF THE EXAMINER OF CAPITAL ISSUES

325. THE HONOURABLE MR. NARAYANDAS GIRDHARDAS : Will Government state whether they have provided any appellate authority to consider appeals from the aggrieved parties against the decisions of the Examiner of Capital Issues ?

THE HONOURABLE SIR CYRIL JONES : With your permission, Sir, I will reply to questions Nos. 325 and 326 together. The answer in each case is in the negative, as the decisions are those of the Government of India and the Examiner of Capital Issues has no power to refuse any application, whether wholly or in part. It is always open to an aggrieved party to apply for reconsideration.

FINAL AUTHORITY TO CONSIDER APPEALS AGAINST THE DECISIONS OF THE EXAMINER OF CAPITAL ISSUES

326. THE HONOURABLE MR. NARAYANDAS GIRDHARDAS : Do Government propose to constitute a committee consisting of the Finance Member and two non-official members of the Central Legislature to consider the appeals from aggrieved parties against the decision of the Examiner of Capital Issues ?

(See reply to question No. 325.)

PLACING OF VOLUMES I AND II OF THE COUNCIL OF STATE *Observations and Rulings from the Chair* IN THE LIBRARY OF THE CENTRAL LEGISLATURE

327. THE HONOURABLE MR. G. S. MOTILAL : Are Government aware that there is no copy of the Council of State *Observations and Rulings from the Chair*, Vols. I and II in the Library of the Central Legislature ? Do Government propose now to place there the two volumes for consultation by the Honourable Members ?

THE HONOURABLE MR. SHAVAX A. LAL : In view of the fact that a copy each of the two Volumes of the Council of State *Observations and Rulings from the Chair* had been supplied to the Honourable Members for their personal use as soon as they were printed, it was not considered necessary to place copies of the same in the Library of the Indian Legislature. As desired by the Honourable Member copies of the two volumes have now been placed in the Library.

THE HONOURABLE MR. P. N. SAPRU : They were never supplied to us.

THE HONOURABLE SIR DAVID DEVADOSS : They were, some years ago.

THE HONOURABLE MR. G. S. MOTILAL : Have the assembly Rulings been placed in the Library ?

THE HONOURABLE MR. SHAVAX A. LAL : I am not aware.

ORDERS OF THE DIRECTOR GENERAL, POSTS AND TELEGRAPHS ON THE SUBJECT OF SPLIT DUTY

328. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Are there standing orders of the Director General, Posts and Telegraphs to the effect that split duty should be avoided as far as possible ?

THE HONOURABLE SIR MAHOMED USMAN : There are no such standing orders but in practice, endeavours are made to avoid prescribing split duty so far as may be practicable without affecting public convenience or efficiency of service.

**OFFICIATING AND TEMPORARY VACANCIES IN THE CADRE OF INSPECTORS,
R. M. S.**

329. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR :
(a) Will Government state as to how temporary and leave vacancies occurring in the Inspector R. M. S. cadre were filled in R. M. S. Division, Delhi, during the last one year ? (b) Is it a fact that during this period one vacancy was filled by one official who is at present working as Accountant ; the second was filled by a senior sorter of Ambala R. M. S. ; the third was filled by a sorter working at Delhi ; the fourth was filled by a senior clerk of the Divisional office, the fifth was filled by a junior clerk of that office ; the sixth, seventh and eighth were filled by different Supervisors ? (c) If so, will Government further state the principle which is being observed in that Division in filling the vacancies in the said cadre.

THE HONOURABLE SIR MAHOMED USMAN : (a) Officiating and temporary vacancies of short duration were filled by the Superintendent, R.M. S. from amongst the most suitable officials in his division in accordance with the instructions issued by the Director General on the subject.

(b) Yes.

(c) The principle laid down for making officiating appointments in short vacancies of Inspectors is seniority *cum* fitness. Superintendents however are permitted to exercise their discretion and make the most suitable arrangement according to the circumstances of each case.

SUPERINTENDENT, R. M. S., DELHI

330. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Is it a fact that when there were interruptions on the Simla line owing to very heavy snowfall in the month of January, 1945, the Superintendent, R. M. S., Delhi, reached on the scene to supervise Mail arrangements with a delay of three or four days ?

THE HONOURABLE SIR MAHOMED USMAN : The facts are not as stated by the Honourable Member. Reports of interruptions were received from the afternoon of the 10th January, 1945 till late at night and were put up on the 11th to the Superintendent who left Delhi on the same night and reached the point of interruption on the 12th. There was, therefore, no avoidable delay.

NUMBER OF TRUCKS SUPPLIED TO R. M. S., DELHI

331. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Will Government state the number of trucks which are supplied to Delhi R. M. S. Office for carriage of Mails and of these how many needed repairs ?

THE HONOURABLE SIR MAHOMED USMAN : 57 and 4 respectively.

REGISTRATION BRANCH, R. M. S., DELHI

332. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR :
(a) Is it a fact that the officials of the Registration Branch Delhi RMS/3 are required to perform extra duty up to 2 or 3 o'clock in the night 4 or 5 times a week ? If so, do Government propose to remove this hardship ?

(b) Is it also a fact that officials of Delhi R.M.S. set No. 3 Registration Branch are frequently required to perform double duty and that the double duty allowance earned by them is not paid to them for months and payments of leave salary of officials on sick leave are also delayed ? If so, do Government propose to redress this grievance ?

THE HONOURABLE SIR MAHOMED USMAN : (a) Government understand that the staff of the Registration Branch mentioned by the Honourable Member have had to perform extra duty fairly frequently in recent months and the question of avoiding this in future is at present under consideration. I may add that the staff is paid for the extra duty performed.

(b) There has been some delay in the payment of allowances and leave salaries due to a variety of reasons and action is being taken to remedy this. I am sending a copy of this question and answer to the Postmaster General for necessary action.

DELAY IN TRANSIT OF LETTERS POSTED AT DELHI

333. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Are Government aware that letters posted in Delhi often reach their destinations with delay in transit ? If so, what is the cause ?

THE HONOURABLE SIR MAHOMED USMAN : Government are aware that occasional delays in transit occur in the case of letters posted in Delhi as well as in some other places. These delays are due mainly to the very large increase in the quantity of mails, the comparative inexperience of newly engaged staff resulting in delay in completing sorting in time or in occasional mis-sorting and lastly to the late running of trains resulting in misconnections at junction stations. Steps have been taken and will continue to be taken to improve matters.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Have Government taken any steps to increase the staff ?

THE HONOURABLE SIR MAHOMED USMAN : I said that steps have been taken and will continue to be taken to improve matters.

TRAINING OF SORTERS, R. M. S., DELHI

334. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR
(a) Is it a fact that a training class was opened in R.M.S. Division, Delhi, for training in sorting work ?

(b) If so, will Government state the period of training and the total number of officials trained ?

(c) Were all the officials who received training subjected to any test before being posted to work as sorters in various offices and sections? If so, how many of them were subsequently found efficient sorters ?

(d) How many of them were examined at the time of the last inspection of Delhi R.M.S. office ? Did all of them pass in 'A' class on that occasion ?

(e) What was the total number of temporary officials examined and the number of officials who passed in that class ?

THE HONOURABLE SIR MAHOMED USMAN : (a) Yes.

(b) The period of training is ordinarily not to exceed three months for each class. The total number so far trained is 90.

(c) Yes. Their work is fairly satisfactory considering their short service.

(d) Due to a misapprehension of orders, none was examined at the last inspection. The latter part of the question does not, therefore, arise.

(e) In view of the reply to part (d), this does not arise.

SHORTAGE OF PRINTED SORTING LISTS

335. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Is it a fact that : (a) As printed copies of sorting list were not available to the staff the Post Master General, Lahore, in his visit to Delhi R.M.S. in October, 1944 ordered that manuscript copies of the same should be supplied to sorters to facilitate their work ? (b) The staff continued to work in that office without sorting list for a long time and letters posted in Delhi suffered delay in reaching their office of destination ?

THE HONOURABLE SIR MAHOMED USMAN : The facts are as follows :—

The Postmaster General visited one set of the Delhi R. M. S. in October, 1944 and found that printed copies of the sorting lists were in the possession of only a few Sorters. He therefore ordered the Divisional Superintendent to supply copies, even prepared in manuscript, to each Sorter. Printed copies of the lists had been duly supplied to all Sorters of the Delhi R. M. S. (except temporary men) when they were issued in 1937, 1938 and 1939. The officials are themselves required to keep their sorting lists corrected up-to-date. Copies of the printed sorting lists, which were available with a few Sorters in the set which the Postmaster General visited, could have been referred to, if required, by those who did not have their own copies with them. As a result of the orders of the Postmaster General, the staff were individually supplied with extracts from Sorting Lists, in November, 1944. The latter part of the question does not, therefore, arise.

REPORTS IN RESPECT OF UNDISPOSED OF AND ACCUMULATED LETTERS

336. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Is it a fact that reports in respect of undisposed of and accumulated letters are made by head sorters of Delhi R.M.S. in their daily reports and a gist thereof is kept in a register in the Sub-Record Office, Delhi? If so, will Government state the number of reports made and the total number of articles which thus suffered detention in Delhi R.M.S. during the last 18 months and if possible for the last 30 months?

THE HONOURABLE SIR MOHAMED USMAN : As regards the first part, the reply is in the affirmative. As regards the last part, during the last eighteen months, 68 reports in all were made or about four per month on the average. The number of undisposed of and accumulated articles mentioned in these reports work out to an average of 20,000 for each report as against an average of 2,50,000 articles handled daily in the Delhi R. M. S. Information for the last 30 months is not readily available.

MEMO. OF DISTRIBUTION OF WORK TO SORTING DEPARTMENTS OF R. M. S., DELHI

337. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Is it a fact that the staff of all sorting departments of Delhi R.M.S. is not supplied with a memo of distribution of work and in its absence work is being done there in a haphazard manner? Will Government state the dates on which the last two memos of distribution of work of that office were issued together with the total strength of the operative staff of Delhi R.M.S. according to the memos?

THE HONOURABLE SIR MAHOMED USMAN : The reply to the first part is in the negative. Memoranda of distribution of work of Delhi Railway Mail Service, Sets Nos. 1, 2 and 3, were supplied on 10th May, 1943 and 26th January, 1944 respectively and the total strength of operative staff according to these memoranda were 70 and 105, respectively. Memos. of distribution of work for the Mail Agency Branch and the Press Sorting Office of the Delhi Railway Mail Service were supplied on 2nd August, 1944 and 26th August, 1944, respectively, and the staff employed in these branches on the above dates were 17 and 14, respectively.

STRENGTH OF PRESENT STAFF OF R. M. S., DELHI

338. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : (a) Will Government state the total strength of the present staff of Delhi R.M.S. and its distribution to the various departments of each set of that office?

(b) Is it a fact that the letter mail department of Delhi R.M.S. set Nos. 2 and 3 is frequently working with less than the prescribed staff? - If so, will they state the number of days on which that department worked with less staff during the last 12 months?

THE HONOURABLE SIR MAHOMED USMAN : (a) The total strength is 154. A statement showing the distribution is placed on the table of the House.

(b) Yes, almost daily, due to casual absenteeism.

Distribution of staff in Delhi R. M. S.

| | Head sorters | Super-visors | Operative sorters |
|--|--------------|--------------|-------------------|
| Delhi R. M. S./1 (Letter and Registration) | .. | .. | 5 |
| Delhi R. M. S./1 Parcel | .. | .. | 4 |
| Delhi R. M. S./2 Letter | 1 | 2 | 21 |
| Delhi R. M. S./2 Registration | .. | 1 | 8 |
| Delhi R. M. S./2 Parcel | .. | 1 | 7 |
| Delhi R. M. S./3 Letter | 1 | 2 | 25 |
| Delhi R. M. S./3 Registration | .. | 1 | 13 |
| Delhi R. M. S./3 Parcel | .. | 1 | 10 |
| Delhi P. S. O. | 1 | 1 | 14 |
| Mail Agency Branch | .. | 2 | 17 |
| Miscellaneous | .. | .. | 4 |
| Sub-sorters | .. | .. | 12 |
| | 3 | 11 | 140 |
| Total | | | 154 |

P. S. O. Press Sorting Office.

TRANSLATION OF LETTERS ADDRESSED IN INDIAN LANGUAGES INTO
ENGLISH

339. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Is it a fact that office of destination of all letters which are addressed in Indian languages and are posted in letter boxes of Delhi R.M.S. between 5 P.M. and 12 P.M. is transcribed into English by only one official of that office ?

THE HONOURABLE SIR MAHOMED USMAN : Yes, ordinarily, but additional assistance is given whenever justified by the amount of work.

EXTRA DUTY ALLOWANCE CASES IN R. M. S., DELHI

340. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : Will Government state the number of Extra Duty Allowance cases which occurred in Delhi R.M.S. in each month during the last two and a half years and also the number prior to that for the same period ?

THE HONOURABLE SIR MAHOMED USMAN : The information asked for is not readily available and its collection will involve an expenditure of time and labour which Government consider unjustifiable under the present conditions.

SORTING OF PARCELS IN R. M. S., DELHI

341. THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR : (a) Is it a fact that in Delhi R. M. S. in the absence of proper equipment officials sort parcels on floor and they get damaged in transit ?

(b) Is it also a fact that large number of parcels are thus damaged and the number of abstraction cases is large in that office ?

(c) Will Government state the number of such cases which occurred in Delhi R. M. S. during the last 18 months ?

THE HONOURABLE SIR MAHOMED USMAN : (a) Proper equipment for sorting parcels exists in the Delhi R. M. S. but officials prefer to sort heavy parcels on the floor. Parcels do not get damaged on this account.

(b) The reply to both parts of the question is in the negative.

(c) During the last eighteen months 53 reports were received of short receipt of contents of parcels or damage to parcels handled by the Delhi R. M. S. but the investigations made did not show that the damage or abstraction occurred in the Delhi R. M. S.

STEPS TO SAFEGUARD THE INTERESTS OF THE MICA PRODUCER

342. THE HONOURABLE MR. NARAYANDAS GIRDHARDAS : Has the attention of Government been drawn to an article appearing on page two of the *Free Press Journal*, Bombay, dated the 16th March, 1945, under the heading "India the Chief Producer of Mica" ? Do they propose to take steps to prevent any foreigners getting control of the mica mines in India ?

THE HONOURABLE MR. H. C. PRIOR : The article in question is not traceable in the *Free Press Journals*, dated the 16th March, 1945. Government are taking all possible steps to safeguard the interests of the Indian mica producer.

NUMBER OF JOINT STOCK COMPANIES WORKING MICA MINES

343. THE HONOURABLE MR. NARAYANDAS GIRDHARDAS : How many joint stock companies are actually working the mica mines in India ?

THE HONOURABLE MR. H. C. PRIOR : According to the annual returns received for the period ending 31st March, 1943, the number is twenty. Later information is not available.

APPLICATIONS RECEIVED BY EXAMINER OF CAPITAL ISSUES TO REGISTER JOINT STOCK COMPANIES FOR WORKING MICA MINES

344. THE HONOURABLE MR. NARAYANDAS GIRDHARDAS : Have any applications been received by the Examiner of Capital Issues for permission to register the joint stock companies for working mica mines independently or conjointly with other minerals ?

THE HONOURABLE SIR CYRIL JONES : Reading the question as referring to applications for consent to the issue of capital by new companies, the answer is in the affirmative.

CONTRACTS WITH MEMBERS OF THE INDIAN LEGISLATURE

345. THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY: Will Government state whether the Railway or Supply Department of Government has, during the last five years, entered into any contract with any non-official member, elected or nominated, of either Chamber of the Indian Legislature or with any firm or private company of which he is a member? If so, will they lay on the table of the House copies of such contracts?

THE HONOURABLE SIR MAHOMED USMAN (on behalf of the Supply Department, Railway Department, Labour Department, Food Department, and Industries and Civil Supplies Department): The Honourable Member is referred to the reply given to a similar question by the Honourable Mr. Narayandas Girdhardas on the 22nd March, 1945.

REPORT OF THE ROGER MISSION

346. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: (a) Will Government place on the table a copy of the Report of the Roger Mission which visited India about five years ago?

(b) If Government do not wish to disclose the contents of the Report, will they state whether (i) a partner of Messrs. Merz & McLellan, a British firm of consulting engineers, was a member of the Roger Mission; (ii) following the visit of the Roger Mission Government created the post of Electrical Commissioner with the Government of India; (iii) appointed to that post, without advertising the vacancy and without reference to the F. P. S. C. an employee of Messrs. Merz & McLellan, one Mr. Mathews, and (iv) Messrs. Merz & McLellan opened an office in Calcutta?

THE HONOURABLE SIR MAHOMED USMAN (on behalf of the Supply Department): (a) It would not be in the public interest to make the report available.

(b) (i). An Engineer on the staff of the firm in question was an Adviser to the "Roger" Mission, but Government are not aware whether any member of the Mission was connected with this firm.

(ii) and (iii). Yes.

(iv) Government have no information.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: In relation to part (a), what is the nature of the information contained in the Report which the Government consider will not be in the public interest?

THE HONOURABLE SIR MAHOMED USMAN: As I have said that it will not be in the public interest to make the Report available, I cannot therefore give any information.

CENTRAL TECHNICAL POWER BOARD

347. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA: Is it a fact that Government have set up an organization called the Central Technical Power Board charged with the responsibility of initiating, co-ordinating and putting forward schemes for electric power development and utilisation throughout India?

THE HONOURABLE MR. H. C. PRIOR: Government have set up a Central Technical Power Board. The functions of that Board are fully set out in the Labour Department's Resolution of the 8th November, 1944, a copy of which is laid on the table.

GOVERNMENT OF INDIA
Department of Labour

RESOLUTION

New Delhi, the 8th November, 1944.

No. EB-6.—The Government of India have decided to constitute a Central Technical Power Board. This Board will act as a Central Planning Organisation. It will be available to advise the Central, Provincial and State Governments in regard to the universally accepted policy of encouraging, planning and pressing forward the widespread development of public electricity supply throughout the country. The Board will be a strong technical organisation designed to collect ideas, conduct surveys, and prepare outline schemes for electrical development in consultation with Provincial and State Governments.

2. Composition of the Board.

The Board, when fully constituted, will consist of a Chairman, two full-time members, three part-time members, and such number of *ex-officio* members as Government may from time to time find necessary. Power will, however, be retained to increase the number of full-time and part-time members if circumstances so require.

The Chairman will be the Electrical Commissioner with the Government of India. The two full-time members and all part-time members will be fully qualified technically. The posts the holders of which will be *ex-officio* members of the Board, will be notified in the *Gazette of India* and will be posts such as those of the Industrial Adviser or the Agricultural Adviser to the Government of India.

The Board will have a staff of engineers and clerical establishment. The headquarters of the Board will be at Calcutta for the present.

3. Function of the Board.

The Board will be charged with the general responsibility for initiating, co-ordinating and putting forward schemes for electric power development and utilisation throughout the country in consultation with the Provincial and State Governments concerned, and its functions will be—

(a) to survey the electric power requirements of any region which would appear to exhibit *prima facie* the need of an electricity supply scheme but where no comprehensive plan appears to be in hand ;

(b) to assist Provincial or State Governments in formulating electric power development schemes when requested to do so by such Governments ;

(c) to investigate and bring to light the prospects for the utilisation of electric power in any region where it would appear that the economic development of that region could benefit thereby ;

(d) to prepare project reports outlining electric power development schemes, including recommendations for the organisation proposed to carry out any scheme, together with estimates of capital expenditure, revenue and an appreciation of the economic effect on the region under consideration. Such project reports then to be presented to the Provincial and/or State Governments affected with a view to encouraging the appropriate authority to implement the scheme ;

(e) to formulate schemes for the widespread development and utilisation of electric power supply wherever a supply is not already available or where not provided at economic cost ;

(f) to maintain contact with all Provincial or State Governments and assist such Governments with advice on methods for the further development of electric power throughout their territories ;

(g) to encourage, in collaboration with Central, Provincial or State Governments irrigation and agricultural authorities, the development of power irrigation and rural electrical development wherever such schemes can be expected to assist the economic condition of the agriculturists and rural communities ;

(h) to become the Central authority responsible for the load direction and collation of hydro-graphic surveys throughout India on a recognised standard basis. In carrying out this work to encourage Provincial and State Governments to develop their hydro-graphic surveys, assisting such Governments where necessary to do so by the provision of supervision of their survey methods ;

(i) to review and lay down for the whole of India standard voltages and practices for generation, transmission and distribution of electricity. Where proposals are made which depart from these standards, the attention of the authorities concerned to be called to the disadvantages of non-standard apparatus ;

(j) to initiate the broad lines of research programmes desirable for the requirements of the special conditions of electric power development in India ;

(k) to initiate propoganda for the education of the public in the uses of electricity;

(l) to initiate and devise schemes for the training of Indian engineers in the specialised field of public electricity supply.

4. Relations with the Electrical Commissioner's Office.

The relationship between the Central Technical Power Board and the Electrical Commissioner's Office will necessarily be very close. The Board will become the Central Planning authority as indicated in para. 3 above. The Electrical Commissioner's Office will for the time being remain as at present constituted and its functions while continuing to be mainly those concerned war-time problems in connection with electricity supply including the procurement of heavy plant from overseas, will also include that of being the agency charged with maintaining all statistical data relating to the generation, supply and distribution of electricity and with giving general advice to the Central, Provincial and State Governments on the administration and Control of electric utilities (including recommendations on model conditions for electric licenses, etc.).

The Government of India will consider to what extent the personnel of the Electrical Commissioner's Office can be utilised in posts in the Central Technical Power Board in addition to their existing duties.

5. Division of subjects in the Board's organisation.

The Board's organisation will be divided into four sections as follows, the first two sections having several sub-divisions to deal with various subjects :—

(a) Power system planning, covering :—

(i) hydro-power station sites, hydro-electric surveys, etc.

(ii) power transmission,

(iii) thermal power station investigations.

(b) Power utilisation, covering :—

- (i) power requirements of and supplies to electro-chemical and metallurgical industries,
- (ii) power requirements of and supplies to industrial power and mining,
- (iii) power requirements of and supplies to rural electrification and power irrigation,
- (iv) standards, research and the development of electrical manufactures.
- (e) Public relations and propaganda.
- (d) Secretary, finance and treasurer.

ORDER.—Ordered that this Resolution be communicated to all Provincial Governments, all Chief Commissioners, the several Departments of the Government of India [including Financial Adviser, War and Supply and Financial Adviser (Communications), the Additional Financial Adviser, Supply Finance], the Political Department, the Private and Military Secretaries to His Excellency the Viceroy and the High Commissioner for India.

Ordered also that the Resolution be published in the *Gazette of India*, for general information.

TECHNICAL CONFERENCE OF ENGINEERS

348. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that : (a) About a year ago the Electrical Commissioner held a conference for considering, *inter alia*, the capital expenditure on imported plant involved in carrying out the development of electricity supply in India ? (b) The figure tentatively arrived at was of the order of Rs. 250 crores ? (c) Whether an employee of the firm of Messrs. Merz & McLellan was a member of this conference ?

THE HONOURABLE MR. H. C. PRIOR : (a) A Technical Conference of Engineers was held in January, 1944. The Conference recommended the heavy electric equipment that would be required in India for electric equipment in the post-war period.

(b) No figure was calculated by the Conference.

(c) Mr. Sharpe of Messrs. Merz & McLellan was a member of the Conference as an Electrical Engineer.

MR. MATHEWS, CHAIRMAN, CENTRAL TECHNICAL POWER BOARD

349. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that : (a) Mr. Mathews has been appointed, again without reference to the F. P. S. C. as Chairman of the Central Technical Power Board in addition to the post he already holds as Electrical Commissioner ?

(b) An American without any previous experience of Indian requirements of electricity has been appointed a member of the Central Technical Power Board without reference to the F. P. S. C. ?

(c) If the answers to (a) and (b) are in the affirmative, will Government state the reasons for making these appointments without consulting the F. P. S. C. ?

THE HONOURABLE MR. H. C. PRIOR : (a) and (b). Yes.

(c) For both the posts the highest technical qualifications were required. The Government of India were satisfied that Mr. Mathews who had already served in India for about four years as Electrical Commissioner and had acquired an intimate knowledge of the power requirements of the country, was best suited for appointment as the Chairman of the Board. As regards the Hydro-Electric member, the Government of India were satisfied that an expert possessing the requisite qualifications and experience was not available in India. Hence the question of consultation with the Federal Public Service Commission did not arise. Mr. W. L. Voorduin who was the head of the Project Planning Division with the Tennessee Valley Authority in the U. S. A. and possessed the necessary qualifications and experience in hydraulics, hydro-electric developments, power studies, specifications and layouts, was, therefore, selected.

MEMBERS, CENTRAL TECHNICAL POWER BOARD

350. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will Government state whether Messrs. Merz & McLellan were consulted at any stage with regard to the appointments to the membership of the Central Technical Power Board ?

THE HONOURABLE MR. H. C. PRIOR : No.

ADDRESS DELIVERED BY MR. MATHEWS, CHAIRMAN, CENTRAL TECHNICAL
POWER BOARD

351. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that in his address delivered in Delhi in February, 1945, Mr. Mathews, the Electrical Commissioner and Chairman of the Central Technical Power Board, recommended the engagement of consulting engineers for the preparation of schemes for electricity supply ?

THE HONOURABLE MR. H. C. PRIOR : No.

MESSRS. MERZ AND McLELLAN, CONSULTING ENGINEERS

352. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that : (a) Messrs. Merz & McLellan, a British firm of consulting engineers of which Mr. Mathews is an ex-employee, has already acquired connections with a number of electricity supply undertakings in India such as those at Lahore, Delhi, Cawnpore, Calcutta, Hyderabad (Deccan), Madras, Mysore, C. P. and Bihar ?

(b) The senior technical staff of Messrs. Merz & McLellan in Calcutta comprises of only British and South African engineers and that there are no Indians ?

(c) If the answers to (a) and (b) are in the affirmative, what steps, if any, do Government propose to take to ensure Indian Engineers and Indian apprentices being associated with the Consulting engineers in their work on the development of electricity supply in India ?

THE HONOURABLE MR. H. C. PRIOR : (a) It is understood that Messrs. Merz & McLellan are doing or have in the past done Consulting Engineering work for the Delhi Central Electric Power Authority and the Cawnpore and Calcutta Electric Supply Corporations, and for the Governments of Hyderabad, Mysore and Bihar. They have done no work at Lahore or in the C. P. so far as we know and are stated to have been merely invited to report jointly for the Madras Government and the Madras Electric Supply Corporation.

(b) Out of the technically qualified staff of eleven, there are six Indians.

(c) In view of the reply to (b), this part does not really arise. It is, however, understood that Messrs. Merz & McLellan would employ more Indians on their staff if they could secure the services of suitable men.

I may add for the information of my Honourable friend that whatever work the firm known as Messrs. Merz & McLellan is securing is not because the Electrical Commissioner with the Government of India is an ex-employee of the firm but because of their experience of power development. The Electrical Commissioner with the Government of India severed all connections with the firm as long ago as 1940.

THE HONOURABLE MR. P. N. SAPRU : With reference to part (b) of the question, the Honourable Member has not answered the question whether the firm in question is employing any South African engineers ?

THE HONOURABLE MR. H. C. PRIOR : There may be one.

THE HONOURABLE MR. P. N. SAPRU : Is this firm receiving support from the Government in the way of contracts or consultation by Government ?

THE HONOURABLE MR. H. C. PRIOR : I do not know what the Honourable Member means by "support from the Government".

THE HONOURABLE MR. P. N. SAPRU : Does Government give this firm any contracts or is it being associated in any other consulting capacity by Government ?

THE HONOURABLE MR. H. C. PRIOR : The Central Government or the Provincial Government ?

THE HONOURABLE MR. P. N. SAPRU : The Central Government.

THE HONOURABLE MR. H. C. PRIOR : I must ask for notice.

MESSRS. MERZ AND McLELLAN, CONSULTING ENGINEERS

353. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that Messrs. Merz & McLellan were responsible for the design of the G. I. P. Railway Power Station near Kalyan, which cost nearly a crore of rupees ?

THE HONOURABLE MR. D. D. WARREN : Yes, Messrs. Merz & McLellan in their capacity as Consulting Electrical Engineers to the Government of India were responsible for the design of the power station near Kalyan to the specification given by the G. I. P. R. Administration. The cost of this power station was over one crore of rupees.

THE HONOURABLE MR. P. N. SAPRU : As you will see, Sir, the answer to my question is here and I am surprised that the Honourable Mr. Prior did not know the answer and I beg leave of the House to move an Adjournment Motion of the employment of South Africans.

THE HONOURABLE THE PRESIDENT : Why did you not bring it to the notice of Mr. Prior at that time ?

THE HONOURABLE MR. P. N. SAPRU : How could I anticipate the answer of Mr. Warren ?

THE HONOURABLE MR. D. D. WARREN. May I draw the attention of the Honourable Member to the fact that this power station was constructed over 15 years ago ?

THE HONOURABLE THE PRESIDENT : Mr. Prior had nothing to do with it.

KALYAN POWER STATION

354. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Is it a fact that the Kalyan Power Station has not been in continuous operation for any length of time since it was commissioned about 15 years ago ?

THE HONOURABLE MR. D. D. WARREN : It is not a fact that the Kalyan power station has not been in continuous operation for any length of time since it was commissioned about 15 years ago. It was in continuous operation from the date of opening on 8-6-1929 until 4-2-1940 for the electrified systems in the Bombay area, after which by agreement with Tata Hydro-Electric agencies, it was used to augment the supply from the Hydro-Electric Plant in order to conserve water, and was available as a stand-by in the event of failure of the Hydro-Electric equipment.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : What is the length of time for which it has not been able to operate ?

THE HONOURABLE MR. D. D. WARREN : It has been able to operate almost continuously since the year 1929 with about one year's interval in 1940-41.

THE HONOURABLE SIR SHANTIDAS ASKURAN : Was it working to its fullest capacity ?

THE HONOURABLE MR. D. D. WARREN : It has not been working all the time to its fullest capacity. I am giving information about the output in my reply to the next question.

KALYAN POWER STATION

355. THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will Government state : (a) the number of units supplied by the Kalyan Power House during the last 15 years and (b) the number of units it could have supplied if the plant had been operated to the extent usual in commercially owned electricity supply power stations ?

(c) If the information asked in (a) and (b) cannot be given for security reasons, will Government state what percentage of (b) is to (a) ?

THE HONOURABLE MR. D. D. WARREN : I lay on the table the information required.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will the Honourable Member kindly read out the reply to part (c) of the question ?

THE HONOURABLE MR. D. D. WARREN : I have given the percentages in the statement which I have now laid on the table. They vary from about 8 per cent. to 52 per cent.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : The question is the percentage of (b) to (a).

THE HONOURABLE MR. D. D. WARREN : The percentage has been given in the statement.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : Will you kindly state it ?

THE HONOURABLE MR. D. D. WARREN : I take it that the Honourable Member does not want me to read out the percentages. I have already said that it varies from 8 per cent. to 52 per cent.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA : In view of the great difference in the percentage mentioned will Government state the steps taken to deal with this firm's responsibility in the matter and in view of their great association with various other undertakings to safeguard India's interests in the matter ?

THE HONOURABLE MR. D. D. WARREN : I am not aware, Sir, that the firm which constructed the power station are in any way responsible for the demand placed upon it since its construction.

| Year | No. of units sent out from Kalyan Power House | No. of Units which could have been sent out | Percentage of (a) to (b) |
|---------|---|---|--------------------------|
| 1929/30 | 13,706,920 | 109,000,000 | 12.6 |
| 1930/31 | 40,394,876 | 136,000,000 | 29.7 |
| 1931/32 | 41,408,860 | 136,000,000 | 30.3 |
| 1932/33 | 42,252,020 | 136,000,000 | 31.1 |
| 1933/34 | 44,655,200 | 136,000,000 | 32.8 |
| 1934/35 | 43,948,646 | 136,000,000 | 32.4 |
| 1935/36 | 47,085,200 | 136,000,000 | 34.6 |
| 1936/37 | 47,345,850 | 136,000,000 | 34.8 |
| 1937/38 | 47,097,000 | 136,000,000 | 34.6 |
| 1938/39 | 48,515,030 | 136,000,000 | 35.7 |
| 1939/40 | 42,133,200 | 136,000,000 | 30.9 |
| 1940/41 | | 136,000,000 | |
| 1941/42 | 67,991,850 | 136,000,000 | 50.0 |
| 1942/43 | 51,946,900 | 136,000,000 | 38.2 |
| 1943/44 | 10,836,920 | 136,000,000 | 7.98 |
| 1944/45 | 70,150,110 | 136,000,000 | 51.6 |

The number of units which could have been sent out, viz. 136,000,000 is based on commercial practice, which gives a load factor of 80 per cent. of two sets running continuously.

OCCUPATION OF GERMANY

356. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH : Has the attention of Government been drawn to a paragraph which appeared on page 1 of the *Hindustan Times*, dated the 11th March, 1945 (Delhi edition), from London, in which it is stated that "it is most unlikely that Indian troops would be brought to Germany to participate in the occupation of Germany, after her defeat" ? If so, what steps do Government propose to take to ensure the participation by Indian troops in the occupation of Germany, along with the victorious troops of the Allied nations ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Yes, Sir, I have seen the paragraph. The troops at the disposal of the United Nations will be used as is most convenient and economical in view of all the factors involved. The Government of India share the views frequently expressed in this House and another place that it is desirable that Indian troops overseas should return to India as soon as possible, and they hope therefore that it will not be necessary for Indian troops to occupy Germany.

I hope, however, it will be possible for Indian troops to be represented in any victory celebrations which may be held in Europe after the defeat of Germany.

DETENTION OF RAM SINGH *alias* MOHAMAD HUSSAIN, JAPANESE AGENT

357. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** Will Government state where the alleged Japanese agent, Ram Singh *alias* Mohamad Hussain is detained at present ; and what sort of trial has been held and exemplary punishment awarded to him to deter other would-be saboteurs and enemy agents from indulging in such activities ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I would refer the Honourable Member to my reply to his question No. 47 on the 22nd February, 1945. I would add that in a certain number of cases the death penalty has been inflicted on proved enemy agents, as has been announced in Government communiques issued from time to time.

● OCCUPATION OF AUSTRIA

358. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** With reference to the proposed plan for the occupation of Austria after her defeat by Britain, Russia and the U. S. A., will Government state whether India is also to be given a zone for occupation in the area assigned to Britain ? If not, do they propose to press the claims of this country for recognition ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : No, Sir, so far as I am aware there is no proposal to allot specific zones to individual members of the British Commonwealth, and the Government of India do not propose to suggest that this should be done. I would also refer the Honourable Member to the answer given by me to his question No. 356.

NAVAL AND AERONAUTICAL TRAINING CENTRES

359. **THE HONOURABLE MR. NARAYANDAS GIRDHARDAS :** Will Government consider the advisability of opening naval and aeronautical colleges in Vizagapatam, the only important natural harbour on the east coast of India to inculcate the air and sea mindedness among the Andhras ? Do Government propose to do likewise at Cochin also on the west coast of India for the benefit of the people of Kerala ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : There is no intention at present of establishing any naval or aeronautical training centres either at Vizagapatam or Cochin. I would add that Indian Air Training Corps already exist in the Andhra and Ernakulam Universities.

PENSION APPEAL TRIBUNALS

360. **THE HONOURABLE MR. HOSSAIN IMAM :** (a) Have the Government of India set up Pensions Tribunals similar to those set up in the United Kingdom under an Act of Parliament ?

(b) If not, do Government propose to set up such Tribunals ?

(c) If so, under which Department will they be placed ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) and (b). Pensions Appeal Tribunals have not yet been established in India, but it is hoped that they will shortly be set up.

(c) This has not yet been decided.

NUMBER OF CLAIMS FOR PENSIONS PREFERRED BY MEMBERS OF THE ARMED FORCES, ETC.

361. **THE HONOURABLE MR. HOSSAIN IMAM :** (a) Will Government state the total number of claims for pensions preferred to the Government of India by members of the armed forces or their dependents, which were pending at the end of October, 1944 and the total number of such claims now pending ?

(b) What steps do Government propose to take to expedite the disposal of such claims ?

(c) Do Government propose to make provision for appeals to be filed before an Independent Tribunal against the decisions of the Department concerned ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) About 18,000 at the end of October, 1944, and nearly 29,000 now.

(b) A Pensions Branch of the War Department which has just started functioning in Simla has been set up to expedite the disposal of outstanding claims.

(c) Yes, Sir.

NOTE.—Questions against the Hon. Mr. Hussain Imam were put by the Hon. Saiyed Mohamed Padshah Sakib Bahadur.

SHORT NOTICE QUESTIONS AND ANSWERS

SENDING OF STUDENTS ABROAD FOR TECHNICAL TRAINING

362. THE HONOURABLE MR. THIRUMALA ROW : (a) Do the Government of India propose to send abroad certain number of students for training in technical and scientific subjects ?

(b) Is it a fact that recently publicity was given in the Press for this scheme inviting applications from prospective candidates ?

(c) Are Government aware that many of the applicants in distant places from South India have not yet been supplied with copies of pamphlet and application forms from the Government Press, Delhi ?

(d) Is it a fact that the limited number of copies of the pamphlet and the application forms which were in Stock with the Agents of the Government of India Publications have all been exhausted and that several applicants who apply personally at these Agencies are given negative reply for such copies ?

(e) Is the last date fixed for the submission of applications to the Secretary, Selection Board, the 15th April, 1945 ?

(f) In view of the difficulties experienced by candidates in obtaining application forms and with a view to enable as large a number of deserving students as possible throughout the country to apply, will Government consider the advisability of extending the period for the submission of applications to the 15th May, 1945 ?

(g) If the answer to (f) is in the affirmative, do Government propose to issue a press *communiqué* immediately to the same effect ?

THE HONOURABLE SIR JOGENDRA SINGH : (a) Yes, Sir.

(b) The advertisement invited applications for stipends and intending applicants were advised to get copies of the brochure and application form from the Manager of Publications, Delhi.

(c) All pre-paid requests for copies of the brochure "Information for students desiring to proceed overseas for advanced studies (1945)" have been and are being complied with as received by the Manager of Publications.

(d) The brochure is being reprinted as and when necessary. Government have no information regarding the availability of copies of the brochure at all the private shops. In a fresh advertisement just issued by Government intending applicants have again been advised to obtain copies of the brochure directly from the Manager of Publications.

(e) Yes.

(f) The last date has been extended up to the 30th April, 1945.

(g) Full publicity has been given to it through the press and All-India Radio.

ADDITIONAL TRAINS FOR THE KUMBH MELA

363. THE HONOURABLE MR. G. S. MOTILAL : Will Government state what additional train services have been provided for the passengers going to Hardwar for bathing in the Ganges on the *Ardh Kumbh Day* which falls on the 13th of this month ?

THE HONOURABLE MR. D. D. WARREN : In accordance with a prohibitory order issued by the Government of the U. P. under Rule 85-B of the Defence of India Rules in consultation with the Railway Department, the carriage of pilgrims to stations in the mela zone has been restricted. Since, however, the restriction appears to have resulted in the number of passengers travelling towards this zone being limited to the normal number travelling in the non-mela period, to avoid any undue overcrowding, the railways will for the next two days arrange to carry passengers up to the capacity of the rolling stock available.

THE HONOURABLE MR. G. S. MOTILAL : Can we have some idea as to how many additional coaches will be attached ?

THE HONOURABLE MR. D. D. WARREN : I am afraid I am not able to give any information as to the number of additional coaches that will be run but instructions have been given to railways, the East Indian Railway and the North Western Railway, to carry passengers up to the maximum of the coaching stock available.

THE HONOURABLE MR. G. S. MOTILAL : Is it for third class or first and second class passengers ?

THE HONOURABLE MR. D. D. WARREN : For passengers of all classes.

NOTICES OF MOTIONS FOR ADJOURNMENT

STATEMENTS MADE BY SIR FIROZ KHAN NOON

THE HONOURABLE THE PRESIDENT : Honourable Members, I have received a Notice of Adjournment from the Honourable Mr. Thirumala Row which I will read to you :—

" I hereby give notice of my intention to move the Adjournment of the business of the House when it meets at 11 A.M. on the 11th instant to discuss a definite matter of urgent public importance namely the grossly misleading statements made by Sir Firoz Khan Noon, one of the members of the Government of India delegation to the San Francisco Conference while speaking at the Empire Conference in London that in practice India is a dominion and we feel we are here as equal partners with representatives of other dominions, and we are going to San Francisco practically as a Sovereign nation.

The speech is reported in the morning edition of the *Hindustan Times* dated Saturday the 7th April, 1945."

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : There is an Adjournment Motion of a similar nature to be moved by me also.

THE HONOURABLE THE PRESIDENT : Will you just wait for a minute ? I know that. I have also received intimation from His Excellency the Governor General which I shall now read to you :—

" In exercise of the power vested in me by sub-rule (2) of rule 22 of the Indian Legislative Rules, I, David John Colville, hereby disallow the Motion of the Honourable Mr. Thirumala Row to move the Adjournment of the House for the purpose of considering ' the grossly misleading statements made by Sir Firoz Khan Noon, one of the members of the Government of India delegation to the San Francisco Conference while speaking at the Empire Conference in London that, in practice India is a dominion and we feel we are here as equal partners with representatives of other dominions.—"

THE HONOURABLE MR. P. N. SAPRU : Good commentary on the drummer boy's statement !

THE HONOURABLE THE PRESIDENT : You should not disturb when the President is reading.

' and we are going to San Francisco practically as a Sovereign nation,' on the ground that the Motion cannot be moved without detriment to the public interest."

So the Motion is disallowed by His Excellency the Governor General.

THE HONOURABLE THE PRESIDENT : The Honourable Mr. Sapru has given notice of a similar Motion.

***THE HONOURABLE MR. P. N. SAPRU :** No, Sir, it is not similar. It is differently worded and therefore I should like to have a ruling on that point. It cannot come under the Governor General's ruling who has dealt with another Adjournment Motion. My Motion is a differently worded Adjournment Motion and it raises a different point altogether.

THE HONOURABLE THE PRESIDENT : I will read his Motion to Honourable Members :—

" I shall move that the House do adjourn to consider matter of urgent public importance viz., the position implicit in Sir Firoz Khan Noon's statement at the Empire Conference that " His Majesty's Government has set up a Government in India which has virtually developed into a dictatorship such as was condemned by Sir Stafford Cripps in his correspondence with Congress, responsible neither to the Indian Legislature, nor to Indian political parties nor to His Majesty's Government."

*Not corrected by the Honourable Member.

THE HONOURABLE THE PRESIDENT : Virtually it is the same thing.

THE HONOURABLE MR. P. N. SAPRU : No, Sir, the point here raised is different. I am not suggesting that Sir Firoz Khan Noon has made a misleading statement. I take it that as a responsible member of this Government he has made a statement which must be regarded as accurate and what I propose to do is to censure the Government for having set up a dictatorship of 11 people which is neither responsible to the Central Legislature nor responsible to the people of this country, nor responsible to political organisations, nor responsible to His Majesty's Government ; that is to say, His Majesty's Government has in other words set up a Hitlerite—it is worse than a Hitlerite-regime because Hitler is responsible to the Nazi Government. It has set up a Government of 11 people responsible to no one except to their own conscience.

THE HONOURABLE THE PRESIDENT : Please argue when the Motion is allowed. This is not the time to argue. Do you insist on this Motion being sent to the Governor General ?

THE HONOURABLE MR. P. N. SAPRU : Well, Sir, it is definitely a matter of urgent public importance.

THE HONOURABLE THE PRESIDENT : Will you please repeat your request tomorrow morning ? Meanwhile, your Motion will be referred to His Excellency the Governor General for his orders.

THE HONOURABLE MR. P. N. SAPRU : The rules do not permit a reference to the Governor General for orders. I am prepared to accept the ruling of the Chair on this point, and I am prepared to argue the case before the Chair. Whether your ruling is in my favour or against me, I will cheerfully accept it. We have never questioned the integrity of the Chair in regard to its rulings. Your rulings have always been according to the rules and we have always submitted cheerfully to them. I am prepared to argue my point before you give your ruling.

THE HONOURABLE THE PRESIDENT : I told the Honourable Member that this is virtually the same Motion. I said so at the commencement.

THE HONOURABLE MR. P. N. SAPRU : If after hearing my argument you come to the conclusion that it is virtually the same Motion, I shall cheerfully accept your ruling.

THE HONOURABLE THE PRESIDENT : Will you accept my verdict ?

THE HONOURABLE MR. P. N. SAPRU : I will cheerfully accept your verdict—

THE HONOURABLE THE PRESIDENT : I definitely hold—

THE HONOURABLE MR. P. N. SAPRU : —after hearing what I have to say in support of the Motion, Sir. I will state my arguments.

THE HONOURABLE THE PRESIDENT : Yes, but don't make a speech.

THE HONOURABLE MR. P. N. SAPRU : Sir, the distinction between my Adjournment Motion and that of the Honourable Mr. Thirumala Row is this. The Honourable Mr. Thirumala Row describes the statements of Sir Firoz Khan Noon as misleading. I accept those statements. I say that I must regard those statements, emanating as they do from a wise and patriotic member of the Government of India, as God's own truth. He has stated the position. Therefore, I would say, very truthfully, that if that be the position, then the constitutional position in which this country finds itself is this : it is a Government which is responsible neither to the Legislature, nor to His Majesty's Government, because His Majesty's Government have allowed it to develop into a dictatorship, nor to any political organisation in this country.

THE HONOURABLE THE PRESIDENT : The Honourable Member has stated all that.

THE HONOURABLE MR. P. N. SAPRU : Therefore, the Indian public is in great danger. It is under the danger of this totalitarian regime ; it is living under a virtual dictatorship of eleven people. And these eleven people presumably are the lords of the Provinces, and they must be controlling the Governor General also, though

[Mr P. N. Supru.]

the Governor General can incidentally come to their rescue and say, "I do not allow a question as to the correctness or otherwise of Sir Firoz Khan Noon's statements to be discussed by the Central Legislature". Now, whether any Governor General or Head of the State in a democratic country or under Dominion Status possesses these powers we do not know. Sir Firoz Khan Noon is an authority on almost every conceivable subject, from pornography to constitutional questions. What I say is that we are really disturbed and alarmed at the statements, and we want a clear statement from the Government of India as to the exact nature of the constitution that we are living under. The Government of India was annoyed when Mrs. Pandit described India as a vast concentration camp. But Sir Firoz Khan Noon has very nearly said that very thing, that in India you have got a dictatorship of eleven wise men—or unwise men.

THE HONOURABLE THE PRESIDENT : The Honourable Member has simply said something which can be allowed only at a later stage.

THE HONOURABLE MR. P. N. SAPRU : I will cheerfully submit to your ruling.

THE HONOURABLE THE PRESIDENT : I have heard what the Honourable Mr. Sapru had to say. He has put one interpretation on Sir Firoz Khan Noon's statement, while the Honourable Mr. Thirumala Row has put another interpretation. But practically it refers to the statement of Sir Firoz Khan Noon. I am precluded also by the order of the Governor General from considering the matter in any way. Therefore, I hold the Motion out of order.

STATEMENTS, ETC., LAID ON THE TABLE

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : I lay on the table copies of the Posts and Air Department Notification No. 26-V (14)/44 dated the 6th December, 1944, relating to an amendment of the Indian Aircraft Rules, 1937, under sub-section (3) of section 5 of the Indian Aircraft Act, 1934.

Copy of Notification No. 26-V (14)/44, dated New Delhi, the 6th December, 1944.

In exercise of the powers conferred by section 5 and sub-section (2) of section 8 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendment shall be made in the Indian Aircraft Rules, 1937, namely :—

After Part XII of the said rules, the following shall be inserted, namely, —

“ Part XII A.—Emergency Provisions.

133A. The Joint Flying Control Regulations for the Royal Air Force and the United States Army Air Forces, as may from time to time be prescribed by the South East Asia Air Command, shall, with effect from the 1st December, 1944, apply to all aircraft for the time being in or over British India and shall have effect notwithstanding anything inconsistent therewith contained in the preceding Parts of these Rules.”

INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : Sir, I lay on the table the information promised in reply to question No. 86, asked by the Honourable Mr. Hossain Imam on the 7th March, 1945.

PURCHASE OF YARN

In 1942 the total off-take of yarn for Defence Services including webbing cordage for tentage, etc., was approximately 60 million pounds. Of this Government's direct purchases amounted to approximately 16 million pounds. Corresponding figures for 1944 are 48 millions and 20 millions respectively.

STATEMENTS, ETC., LAID ON THE TABLE

THE HONOURABLE MR. N. R. PILLAI (Commerce Secretary) : Sir, I lay on the table a further statement of Commercial Treaties and Notes affecting India.

STATEMENT OF COMMERCIAL TREATIES AND NOTES AFFECTING INDIA

Part I

Agreement under which the produces of India receive most-favoured-nation treatment.

Nil.

Part II

Agreement to which India is a party.

Nil.

Part III

Denunciation of Treaties.

| Countries which are parties to the agreement | Nature and date of Agreement | Description | Remarks |
|---|------------------------------------|---|--|
| The United Kingdom, India, the Netherlands, France, etc | Agreement. Signed on 7th May, 1934 | Inter-Governmental Rubber Agreement of 1934 (subsequently amended and extended for a further period upto 30th April 1944) | The Agreement was allowed to expire after 30th April 1944. |

STANDING COMMITTEE FOR THE DEFENCE DEPARTMENT

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Sir I move :

“ That this Council do proceed to elect, in such manner as the Honourable the President may direct three — ”

with your permission, Sir, I shall substitute “ four ” —

“ four non-official members to serve on the Standing Committee to advise the Defence Department on subjects other than Civil Defence for the financial year 1945-46.”

The Motion was adopted.

THE HONOURABLE THE PRESIDENT: With reference to the Motion which has just been adopted, I have to announce that nominations to the Committee will be received by the Secretary up to 5 P.M. today and the date of election, if necessary, will be announced later.

STANDING COMMITTEE FOR ROADS, 1945-46

THE HONOURABLE THE PRESIDENT: The following Honourable Members have been nominated for election to the Standing Committee for Roads :—

- (1) The Honourable Mr. Abdool Razak Hajee Abdool Sattar.
- (2) The Honourable Sir Rahimtoola Chinoy.
- (3) The Honourable Mr. G. S. Motilal.
- (4) The Honourable Mr. M. N. Dalal.
- (5) The Honourable Mr. N. K. Das.
- (6) The Honourable Maulvi Ali Asgar Khan.
- (7) The Honourable Mr. J. M. B. Gibbons.
- (8) The Honourable Mr. Thirumala Row.

The Council will now proceed to elect members who shall be required to serve on the Standing Committee. The election will be according to the principle of proportional representation by means of single transferable vote and ballot papers will now be placed in members hands and I ask Honourable Members to vote in accordance with the instructions noted thereon.

(The Honourable Mr. G. S. Motilal and the Honourable Mr. Thirumala Row withdrew their names for election.)

THE HONOURABLE THE PRESIDENT: The result of the election will be announced later.

FACTORIES (AMENDMENT) BILL

THE HONOURABLE MR. H. C. PRIOR (Labour Secretary): Sir, I move:—

“That the Bill further to amend the Factories Act, 1934, as passed by the Legislative Assembly, be taken into consideration.”

Sir, I need say little in moving for consideration of this Bill. The Statement of Objects and Reasons gives a brief summary of the reasons why we have brought it forward. There are only two matters to which I think I should refer. The first is the provision that the holidays proposed by the Bill should be continuous. I know that there are certain people who feel that that provision is wrong and that from the number of continuous holidays which we provide, there should be some deduction made in respect of daily holidays which I am glad are given by many factories on festival days and such like. That, Sir, we think, is wrong view. The matter has been very closely considered at various times before we framed this Bill and it seems to me quite clear—and my view is shared by the majority of those whom we have consulted—that the industrial worker, if he is to be, as we all hope, a settled worker in industry, does want a continuous period of paid holiday in which he can go back to his family. The holiday is earned by a year's continuous service. The worker who earns it must be, to some extent, settled. Such a worker wants to be able for a time to get right away from the factory and the factory atmosphere and wants some money in his hands other than his savings with which to enjoy his holiday. That is why the holiday must be continuous and must be paid. And that brings me to the second point, the length of the holiday. Originally, the Bill as introduced, provided for seven days continuous holidays. That has now been changed to ten days. The reason for the change is obvious. India is a large country. It takes a long time for the worker to get from his work place to his home. We want him in general to have a full week at his home, a week for which he will have something by way of pay over and above his railway fare.

Sir, I move.

THE HONOURABLE MR. G. S. MOTILAL (Bombay Non-Muhammadan): Sir, I welcome this piece of legislation. It gives holidays with pay to the workers in factories. It is only in those factories which work continuously all through the year that the workers are given this benefit. This concession does not extend to factories which are working seasonally. I have, however, to point out that such an advantage does not accrue to the workers in factories in other parts of India. That is a disadvantage to workers as well as to the industry in British India. But there are other disadvantages to the industry in British India. The taxation is very heavy. This advantage to the workers which is a certain amount of burden on the industry in British India does not attach to other parts of India. Surely, Government should be in a position to arrange with those other parts for similar facilities for the workers.

Sir, with these words, I support this Bill.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras Muhammadan): Sir, I also give my support to this Bill. It has got a very salutary provision. But, as suggested by my Honourable friend, Raja Govind Lal, Government should see to it that somehow the Indian States are also persuaded to introduce some such modifications in their rules. They should be persuaded to enjoin upon the factories in the States to give a certain number of holidays to the workers. Besides, Sir, there is another good feature in the Bill which is that it gives 14 days consecutively to children. I think, Sir, that the Bill is really a step in the right direction and I support it.

The Motion was adopted.

Clauses 2 to 5 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. H. C. PRIOR : Sir, I move :—

“ That the Bill, as passed by the Legislative Assembly, be passed.”

Sir, I have only one remark to make and that is with reference to the point made by the Honourable Mr. Motilal. As I think it is well known, we always do bring any legislation that is passed in this House and the other House to the notice of the States with a suggestion that they should take it into consideration, and we shall do so in this case.

The Motion was adopted.

INDIAN COMPANIES (AMENDMENT) BILL

THE HONOURABLE MR. N. R. PILLAI (Commerce Secretary) : Sir, I beg to move :—

“ That the Bill further to amend the Indian Companies Act, 1913, as passed by the Legislative Assembly, be taken into consideration.”

This, Sir, is a very simple Bill whose object is to make it quite clear that where a company has instituted a provident fund for the benefit of its employees the provisions of sub-section (2) of section 282B of the Indian Companies Act cannot be held to preclude an employee from obtaining advances or withdrawing money standing to his credit in the fund.

Sir, I move.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. N. R. PILLAI : Sir, I move :—

“ That the Bill, as passed by the Legislative Assembly, be passed.”

The Motion was adopted.

INDIAN MERCHANDISE MARKS (AMENDMENT) SUPPLEMENTARY BILL

THE HONOURABLE MR. N. R. PILLAI (Commerce Secretary) : Sir, I beg to move :—

“ That the Bill to amend the Indian Merchandise Marks (Amendment) Act, 1941, as passed by the Legislative Assembly, be taken into consideration.”

The purpose of this Bill is three-fold, first, to subject crochet and handicraft thread to the same requirements as to marking as sewing and darning thread; second, to take power to exempt from these requirements goods made in certain premises, the object being to encourage cottage industry; and third, to delete the expression “ grist number ”, which is not in common use in this country. There is general agreement, Sir, that these are desirable objectives, and this Bill has been brought forward to give effect to them.

Sir, I move.

The Motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. N. R. PILLAI : Sir, I move :—

“ That the Bill, as passed by the Legislative Assembly, be passed.”

The Motion was adopted.

REPEALING AND AMENDING BILL

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official) : Sir, I beg to move :—

“ That the Bill to repeal certain enactments and to amend certain other enactments, as passed by the Legislative Assembly, be taken into consideration.”

Sir, this is a usual periodical pruning measure intended to remove from the Statute-book enactments which have become inoperative or superfluous and to make certain minor amendments. I have nothing more to add.

Sir, I move.

The Motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

The First Schedule was added to the Bill.

The Second Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. SHAVAX A. LAL : Sir, I move :—

“ That the Bill, as passed by the Legislative Assembly, be passed. ”

The Motion was adopted.

INDIAN ARMY (AMENDMENT) BILL

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : Sir, I beg to move :—

“ That the Bill further to amend the Indian Army Act, 1911, as passed by the Legislative Assembly, be taken into consideration. ”

From the Statement of Objects and Reasons it will be found that the object is to set up a Standing Committee of Adjustment in order that we may have speedy disposal of moveable property in camp or quarters of Indian Commissioned officers dying or deserting while on active service. It is a very simple Bill and I hope the House will have no objection to having it passed.

Sir, I move.

The Motion was adopted.

THE HONOURABLE MR. THIRUMALA ROW (Madras : Non-Muhammadan) : Sir, I move :—

“ That in sub-clause (a) of clause 2 of the Bill, in the proposed rule (7) for the words “two thousand” the words “one thousand five hundred” be substituted. ”

Sir, in the agenda next to this Bill comes another Bill, the Indian Air Force (Amendment) Bill, as passed by the Legislative Assembly. There they have agreed that this amount should be Rs. 1,500, that is the amount to be drawn and utilised by the Adjustment Committee or any officer properly authorised on behalf of a deceased officer or an officer who has deserted. In order to equalise the position and to do away with the obvious difference between the two Acts which deal with almost the same category of persons—Air Force or Army men—I move this amendment asking for the substitution of the words “one thousand five hundred” for “two thousand”. I move and I hope the Government will accept the amendment.

THE HONOURABLE SIR MAHOMED USMAN : We had fixed in the original Bills a limit of Rs. 2,500 for both the Army and the Air Force. The Assembly made the amendment reducing the figure in one case to Rs. 2,000 and in the other to Rs. 1,500. Having accepted these amendments it would not do for me to accept a further amendment here and then to go again to the Assembly. I do not think therefore that I can accept the proposed amendment and I would request the Honourable the Mover not to press his Motion.

THE HONOURABLE THE PRESIDENT (to the Honourable Mr. Thirumala Row) : Will you withdraw your amendment or would you like it to be put to the vote of the House ?

THE HONOURABLE MR. THIRUMALA ROW : No, Sir, I am asking for an equal justice for officers of both the Services. There is no point in my withdrawing.

THE HONOURABLE SIR MAHOMED USMAN : I cannot accept the amendment. The Assembly also, I suppose, knew it when they amended the limit in one case to Rs. 2,000 and in the other to Rs. 1,500. I cannot now accept a further amendment and again take this Bill to the Assembly. I hope the Honourable Member will realise the inconvenience involved.

THE HONOURABLE THE PRESIDENT : Amendment moved :—

“ That in sub-clause (a) of clause 2 of the Bill, in the proposed rule (7) for the words “two thousand” the words “one thousand five hundred” be substituted. ”

Question put and amendment negatived.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR MAHOMED USMAN : Sir, I move :—

“ That the Bill, as passed by the Legislative Assembly, be passed.”

The Motion was adopted.

INDIAN AIR FORCE (AMENDMENT) BILL

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : Sir, I move :—

“ That the Bill further to amend the Indian Air Force Act, 1932, as passed by the Legislative Assembly, be taken into consideration.”

It is a Bill similar to the preceding one. This applies to the Indian Air Force. I have nothing fresh to add.

Sir, I move.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR MAHOMED USMAN : Sir, I move :—

“ That the Bill, as passed by the Legislative Assembly, be passed.”

The Motion was adopted.

STATEMENT OF BUSINESS

THE HONOURABLE SIR DAVID DEVADOSS : With your permission, Sir, may I know how long we are going to be here because the difficulty is about booking our seats. If we are going to finish tomorrow then we know for certain, but I am told that there is a Bill likely to come up which will be placed on the table here tomorrow and some Honourable Members want to have it taken up on Saturday. I should like to know whether it is going to be done or not ?

THE HONOURABLE THE PRESIDENT : I would make a suggestion : that you should decide whether if the Bill is placed on the table tomorrow you are prepared to take it up tomorrow.

THE HONOURABLE SIR DAVID DEVADOSS : Are you asking this to me personally or the House ?

THE HONOURABLE THE PRESIDENT : I am asking the House.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : We should take it up on Saturday.

THE HONOURABLE MR. P. N. SAPRU : I have no objection to it being taken up tomorrow. We have been departing from that principle in the case of the Finance Bill because I am told that the 13th is a holiday and we cannot sit on that day.

THE HONOURABLE SIR MAHOMED USMAN : So you want to sit on Monday ?

THE HONOURABLE MR. P. N. SAPRU : I want to finish it tomorrow.

THE HONOURABLE MR. SHAVAX A. LAL : One Bill will be laid on the table very probably tomorrow.

THE HONOURABLE THE PRESIDENT : And we shall also have to deal with the Patents and Designs (Amendment) Bill.

THE HONOURABLE MR. SHAVAX A. LAL : In that case, of course, we will have to waive notice. Government is not anxious that the notice be waived if the Honourable Members on the other side desire to have that notice.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : We should take up the Bill on Saturday.

THE HONOURABLE MR. SHAVAX A. LAL : We are not anxious to hustle the House.

THE HONOURABLE SIR DAVID DEVADOSS : May I take it, Sir, that Saturday will be the last day ?

THE HONOURABLE THE PRESIDENT : Yes.

The Council then adjourned till Eleven of the Clock on Thursday, the 12th April, 1945.