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COUNCIL OF STATE DEBATES

Wednesday, 27th February, 1946

Vol. I—No. 4

OFFICIAL REPORT



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PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI
PRINTED BY THE MANAGER GOVERNMENT OF INDIA PRESS, NEW DELHI
1946

Price Annas Five or 6d.

Copies of the Debates of the Legislative Assembly and of the Council of State are obtainable on sale from the Manager of Publications, Civil Lines, Delhi.

COUNCIL OF STATE

Wednesday, 27th February, 1946

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

MEMBER SWORN :

The Hon. Mr. Y. N. Sukthankar (Nominated Official).

QUESTIONS AND ANSWERS

UNITED MARITIME AUTHORITY.

61. THE HON. RAJA YUVERAJ DUTTA SINGH: (a) Will Government state whether India has joined the United Maritime Authority, which imposes on her the obligation to submit her shipping to international control for at least six months after the termination of the war?

(b) What is the present position in this regard? What are the objects of this Authority and what advantage will accrue to India by her joining this Institution.

THE HON. MR. Y. N. SUKTHANKAR: Part (a)—Yes. The co-ordinated control of Merchant Shipping however applies to all the countries who have acceded to the Agreement and not only to India. Part (b)—Government of India understand that the Agreement under which United Maritime Authority was set up is due to terminate on 2nd March 1946. As the total Indian shipping is too small to cater for a substantial portion of India's requirements, arrangements under which provision of shipping became a common responsibility of the United Nations who control ships are to her advantage.

POST-WAR OCCUPATION OF JAPAN

62. THE HON. RAJA YUVERAJ DUTTA SINGH: In accordance with the report of the Institute of Pacific Relations at Hot Springs, Virginia, that all nations actively fighting against Japan should be represented in the post-war occupation of that country? Will Government state whether India also will be allowed to participate in the post-war occupation of Japanese territory? Do Government propose to press the claims of India and ascertain the plan of His Majesty's Government in this respect?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: The Commonwealth Force for the occupation of Japan contains units of the three Indian services. For further details I would invite the attention of the Hon. Member to the Press Note on the subject which was issued on the 31st of last month, and a copy of which has been placed in the Library of the House.

PRE-WAR OCCUPATION OF GERMANY

63. THE HON. RAJA YUVERAJ DUTTA SINGH: (a) Will Government state why Indian troops have not been given a zone of occupation in conquered Germany in recognition of their valour displayed in the war?

(b) In view of the splendid tribute paid to the Indian troops by H. E. the Commander-in-Chief, in the course of a Press interview on the 16th June, why did not Government press the claims of Indian troops in this respect?

(c) Are Government aware that Indian troops are eager to proceed to Europe and further to distinguish themselves by occupying a portion of Germany which may be assigned to them ?

(d) Are Government aware that even the Negro troops in the Army of the U. S. A. form about 10·4 per cent. of the total United States Army of Occupation troops in Germany ?

(e) Do Government propose even now to press the claims of the Indian troops to occupy a zone in the conquered territory of Germany, along with the Allied Armies of occupation ? If not, why not ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) and (b). The composition of the forces employed for the occupation of enemy territories has been decided in consultation between the various Governments concerned. Indian troops are in temporary occupation of those enemy territories (including Japan) which are closest to the areas in which the main body of the Indian Army was operating at the end of the war. There is an Indian Military Mission in Berlin.

(c) No, Sir.

(d) This may be a fact but Government have no information.

(e) No, Sir, because it does not seem necessary.

TRIAL OF INDIAN NATIONAL ARMY PERSONNEL

64. THE HON. RAJA YUVERAJ DUTTA SINGH: Will Government lay on the table a statement showing separately up to date :—

(a) The number and names of personnel of the I. N. A., who have been tried in India giving the dates on which they were convicted or acquitted, the names of the personnel constituting the courts and the places where the trials took place, together with the sentences passed on the accused and the offences for which they were convicted, and the opportunity given to them for defence ?

(b) The number and names of the Indian civilians in Malaya, Burma and other places out of British India, giving the particulars mentioned in (a) above ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) I lay two statements on the table.

(b) No such civilians have been tried.

STATEMENT A—COURTS MARTIAL

Serial No.	Name	Place and dates of trial	Charges on which convicted	Final result of trial	Defending Officer
1	2	3	4	5	6
1	9940 Hav. Mela Singh, 15 Punjab Regt.	Summary General Court Martial, Delhi, 8th—12th June 1944.	Desertion	Transportation for life, reduction to the ranks and dismissal.	Major R. C. L. Bright, 19 Hyd'bd. R. Barrister-at-Law.
2	18662 Sepoy Chatter Singh, 5/8 Punjab Regt.	Summary General Court Martial, Delhi, 14th June 1944.	Waging war against the King.	Death by being hanged.	Lt. L. C. Green SEA TIC (Solicitor).
3	9896 Sepoy Nazir Singh, 8 Burma Rifles.	Summary General Court Martial, Delhi, 15th June 1944.	Waging war against the King.	Death by being hanged.	Lt. L. C. Green, SEA TIC (Solicitor).
4	10670 Hav. (C. M. H.) Onkar Chand, 2/12 F.F.R.	Summary General Court Martial, Delhi, 20th June 1944.	Waging war against the King.	Transportation for life	Capt. H. B. C. Horral, G. S. Branch GHQ(I) Bar-at-Law.
5	7804 Hav. Hoahiar Singh, 2/17 Dogra Regt.	Ditto	Ditto	Ditto	Ditto
6	6775 Hav. Durga Mal 2/1 Gurkha Rifles.	Summary General Court Martial, Delhi, 5th July 1944.	Waging war against the King.	Death by being hanged.	Capt. E. W. Seir, RLASC (Solicitor).
7	15217 Sepoy (L/Nk.) Kartar Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera, 17th July 1944.	1. Desertion, 2. Waging war against the King.	Transportation for life and dismissal.	Capt. B. W. Fidgeon, 11 Sikh Regt.
8	16183 Sepoy Sajjan Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera, 19th July 1944.	1. Desertion 2. Waging war against the King.	Transportation for life and dismissal.	Ditto
9	15718 Sepoy Gurdial Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera, 19th July 1944.	1. Desertion 2. Waging war against the King.	Transportation for life and dismissal.	Ditto
10	1808 Sepoy Padam Bahadur, Mvilk. v. Bn., Burma Frontier Force.	Summary General Court Martial, Delhi, 23rd August 1944.	Waging war against the King.	Transportation for life and dismissal.	Lt. G. K. Qanvirthakar, 11 Sikh Regt. Centre.
11	10648 Sepoy (P/L/NK) Singh, 5/2 Punjab Regt.	Summary General Court Martial, Delhi, 25th August 1944.	Waging war against the King.	Death by being hanged.	Lt. L. C. Green, Intell. Corps att. R.I.D. (Solicitor).
12	MT 503961 Fitter (Class II) Singh, LAOC, att. 4/17 Gurkha Rifles.	Summary General Court Martial, Calcutta, 6th October 1944.	Waging war against the King. (2 Counts).	Ditto	Lt. S. A. Hossain, RIASC, B. M. T. Trg. Group. Capt. M. S. Haqqani, I.A.O.C. 220 I. A. O. D. pleader with right of audience in Sessions Court.

1	2	3	4	5	6
13	H 1733 Hav. Clerk (Class I) Lachman Singh, I.A.M.C. att. 4/7 Gurkha Rifles.	Summary General Court Martial, Calcutta, 6th October 1944.	Concealing the existence of a design to wage war against the King.	R. I. for 7 years and dismissal.	Lt. J. R. Colchester, R.A.O.C. Port Ordinance, Calcutta, Bar-at-Law.
14	8454 Sepoy Fakir Singh, 1/15 Punjab Regt. att. 4/7 Gurkha Rifles.	Summary General Court Martial, Calcutta, 10th October 1944.	Waging war against the King.	Transportation for life and dismissal.	Lt. J. R. Colchester, R.A.O.C. Port Ord. Calcutta, Bar-at-Law, B.A. (Cantab.) Law.
15	28896 I. O. Jem. Keshri Chand Sharma, RIASC.	General Court Martial, Delhi, 12th and 13th December 1944.	Waging war against the King.	Death by being hanged.	Capt. H. B. C. Horrell, Bar-at-Law.
16	6120 Jem. Dalbahadur Thapa, 2/1st Gurkha Rifles.	General Court Martial, Delhi, 12th February 1945.	Waging war against the King.	Ditto	Lt. Idris Ahmad, I.A.O.C., Pleader.
17	2416 Jem. B. C. Gowd, 1st Bn., Mysore Inf.	General Court Martial, Delhi, 16th February 1945.	Waging war against the King.	Transportation for life and dismissal.	Capt. B. S. Wadhawan, 39 Ind. Field Censor Unit, who has passed the Prosecuting Inspector's Examination in Higher Criminal Law at the Police Training School, Phillaur. (I. S. F. Case).
18	16616 I.O. Jem. Nikka Ram, 5/2, Punjab Regt.	General Court Martial, Delhi, 11th January 1945.	Waging war against the King.	Transportation for life and dismissal.	Lt. G. W. Hill, R.A.P.C. Solicitor of the Supreme Court.
19	11865 Hav. Shiv Charan Singh, 5/2, Punjab Regt.	Summary General Court Martial, Delhi, 28th April 1945.	Waging war against the King.	Transportation for life and dismissal.	Capt. J. C. Hay, Royal Sigs. GHQ (I.) Sigs. Solicitor.
20	11698 Hav. Chambel Singh, 5/2, Punjab Regt.	Summary General Court Martial, Delhi, 5th May 1945.	Waging war against the King.	Transportation for life and dismissal.	Capt. M. Y. Chaudri, 8th Punjab Regt. Advocate, S. C. (Legal) Delhi District.
21	10376 L/Nk. Charn Singh, 8 Burma Rifles.	Summary General Court Martial, Multan, 6th July 1943.	1. Desertion 2. Waging war against the King.	Death by being hanged.	Major P. H. M. Galbraith, 1st Burma Regt.
22	8771 Naik Nagindar Singh, 8th (F.F.) Bn. Burma Rifles.	Summary General Court Martial, Multan, 3rd July 1943.	1. Desertion 2. Desertion.	Death by being hanged.	Ditto.
23	15657 Sepoy (L/Nk.) Isher Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera, 7th September 1944.	Desertion.	R. I. for 6 years and dismissal.	Major W. B. K. Batty, 11 Sikh Regt. Centre.

- 24 (i) Capt. Shah Nawaz Khan 1/14 } Summary General Court Martial, Mr. Bhulabhai Desai &
 Punjab Regt. } Delhi, 5th November 1945. Cashiered and forfeiture 22 Defence Council.
 (ii) Capt. P. K. Saghal, 2/10 } of all pay.
 Baluch Regt. }
 (iii) Lt. G. S. Dhillon, 1/14 Pun- }
 jab Regt. }
 25 Abdul Rashid } Summary General Court Martial, Waging war brutality . R.I. for 7 years . Mr. Abdul Aziz Khan.
 Delhi, Dec. 1945.

The labour involved in collecting details regarding the personnel who constituted these Courts Martial would not be worth the value of the results.

STATEMENT B—CIVIL COURTS

Serial No.	Name	Place of trial	Charges on which convicted	Result of trial and date of pronouncement	Name of Judge
1	2	3	4	5	6
1	Sepoy Awadeshwar Rai Pande	Delhi	Section 3 of the Enemy Agents Ordinance, 1943 (i.e. aiding the enemy). Ditto	Transportation for life, 27th May 1944. Ditto.	C. M. Ormerod, Esq., I.C.S., Special Judge under the Enemy Agents Ordinance. Ditto.
2	Sepoy Kartar Singh	Delhi	Ditto	18th Dec. 1944 Ditto.	Ditto.
3	Sepoy Kanwal Singh	Delhi	Ditto	18th Dec. 1944	Ditto.

ARREST AND INTERNMENT OF TATSUKI FUJI

65. THE HON. RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that a Japanese, named Tatsuki Fuji, who was the Managing Editor of *The Singapore Herald* for over two years, had to spend some months in India as a prisoner in Delhi Purana Qila before being repatriated to Japan? If so, will Government state the reasons and circumstances of his arrest and detention?

(b) Will Government state whether a Tokyo publication called *Singapore Assignment* by Tatsuki Fuji is banned in India; if so, why? If it is not banned, will a copy of it be placed in the Library?

(c) Are Government aware that in recording the frequent brawls between the Scot and the English and the Australian soldiers in Singapore before its fall Tatsuki Fuji made the following statement in the book:—

“That is why in the course of the subsequent fighting different sectors were assigned to Australians, Scots and English troops, while Indians were forced to take up the dangerous Jitler Line which bore the brunt of the initial attack”?

(d) Do Government propose to take necessary action to have an enquiry made as to why Indian troops were thrust into dangerous situation referred to above?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) Yes, Sir, he was arrested in Singapore as an enemy alien on the outbreak of war with Japan and was sent to India for internment.

(b) *Singapore Assignment* was published in Tokyo in 1943. It consisted of Japanese propaganda against the Allied Nations but it has not been banned in India. There is no copy available for placing in the Library of the House.

(c) and (d). No, Sir, since the alleged statement is not true.

INDIANS IN BRITISH COLUMBIA

66. THE HON. RAJA YUVERAJ DUTTA SINGH: Is it a fact that there are about 1,200 Indians domiciled in the Province of British Columbia and they suffer from a number of disabilities and that they have no vote and cannot practise as doctors or lawyers? What steps have so far been taken or are proposed to be taken to remove the disabilities?

THE HON. DR. N. B. KHARE: *First part*—Yes.

Second part—Representations have been made from time to time and Government have been actively pursuing the matter.

THE HON. PANDIT HIRDAY NATH KUNZRU: When did Government last take any steps to secure for these people the right to vote in the provincial elections?

THE HON. DR. N. B. KHARE: I could not give the date off-hand. I would like to have notice of the question.

TRIAL OF INDIAN NATIONAL ARMY PERSONNEL

67. THE HON. RAJA YUVERAJ DUTTA SINGH: Will Government state the number of personnel of the I.N.A. who were tried so far by courts martial in India, the places where the trials took place, the arrangements made for their defence, the dates on which they were convicted or released and the punishment awarded to them together with the names of those convicted and released?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: I invite the attention of the Hon. Member to the reply given by me to his question No. 64 a few minutes ago.

INDIANS IN MALAYA

68. THE HON. RAJA YUVERAJ DUTTA SINGH : Have Government made any enquiry into the serious allegations made in the Press about the beginning of November that "Indians' condition throughout Malaya is hopeless. Prominent lawyers, doctors, merchants and missionaries have been confined in solitary cells for over a month without trial. Bails have been refused and legal defence not provided; handicapped with invalid currency"? If so, has any enquiry been made and will Government make a full statement on the subject?

THE HON. DR. N. B. KHARE: I would draw the attention of the Hon. Member to the Press Communique issued by Government on the 13th December 1945, on the subject.

THE HON. MR. M. THIRUMALA ROW: Have Government received a report from the non-official deputation sent by them to investigate conditions in Malaya?

THE HON. DR. N. B. KHARE: Yes, Sir.

THE HON. MR. M. THIRUMALA ROW: Have Government published, or do they intend to publish, that report?

THE HON. DR. N. B. KHARE: No, Sir.

THE HON. MR. M. THIRUMALA ROW: May I know the reason why the Government do not take the public into confidence, when non-official members who have a reputation among the public have gone and reported?

THE HON. DR. N. B. KHARE: I hope the non-officials themselves who went and saw things will appreciate the reasons for not publishing the report.

THE HON. MR. M. THIRUMALA ROW: Have they agreed that their report should not see the light of day?

THE HON. DR. N. B. KHARE: I want notice of the question.

THE HON. MR. M. THIRUMALA ROW: Have they no choice to release the report by themselves?

THE HON. DR. N. B. KHARE: I cannot answer for them.

TRIAL OF AMRIK SINGH GILL AND MR. JYOTISH BOSE

69. THE HON. RAJA YUVERAJ DUTTA SINGH: (a) Is it a fact that Sardar Amrik Singh Gill and Mr. Jyotish Bose were tried by court martial, but the trial did not take place in any of the recognised premises used by courts of law in Bengal, but a private house was rented somewhere in Camac Street, Calcutta, where a judge was deputed by the Government of India under the Enemy Agents Ordinance?

(b) Is it a fact that the alleged trial was held *in camera*, with complete black out of all news and the public, the friends or the members of the family of the accused were in the dark till after the execution of the accused had taken place?

(c) Is it a fact that the lawyer who was allowed to defend the accused was approved and chosen by Government?

(d) If the reply from (a) to (c) be in the affirmative, will Government state the reasons for this procedure?

(e) When and where did this court martial take place, who were the judges, and who was the lawyer who defended the accused?

(f) Was any appeal allowed? When did the execution of the accused take place?

(g) Will Government place a copy of the judgment of the court martial on the table of the House or in the Council Library?

THE HON. MR. A. E. PORTER : (a) Messrs. Amrik Singh Gill and Jyotish Bose were tried not by court martial but by a Special Judge appointed by the Government of India under section 5 of the Enemy Agents Ordinance. The trial took place at No. 2, Camac Street, Calcutta, in premises which had been requisitioned by the Government of Bengal.

(b) It is correct that the trial was held *in camera* but it is not correct that the accused were executed.

(c) Yes.

(d) The procedure followed was that prescribed by the Enemy Agents Ordinance.

(e) The trial took place at Calcutta in May and June 1945. Mr. C. M. Ormerod, I.C.S. was the Special Judge and Messrs. B. N. Basu and P. C. Ghosh the defence counsel.

(f) The proceedings were placed before a High Court Judge for review as prescribed by the Ordinance. No execution took place.

(g) No.

THE HON. PANDIT HIRDAY NATH KUNZRU : With reference to part (c) of the question, why do Government insist on the engagement only of a lawyer whom they approve of?

THE HON. MR. A. E. PORTER : That is the provision, Sir, of the Ordinance under which the trials are held.

THE HON. PANDIT HIRDAY NATH KUNZRU : Are these trials still going on?

THE HON. MR. A. E. PORTER : I should like to have notice of that, Sir, but I think not.

DETENTION OF POLITICAL DETENUS.

70. **THE HON. RAJA YUVERAJ DUTTA SINGH :** (a) Is it a fact that numerous political detenues have been suffering detention without trial for about the last 13 years and also many others have put in from 20 to 25 years in the presidency Jail in Calcutta, under orders of the Government of India?

(b) Will Government state the names of those referred to in (a) above together with the dates of their detention, the offences for which they are confined, the law under which they are detained?

(c) What opportunity had been given to them for defence? Do Government propose either to release them unconditionally, or to bring them to trial before a regular Court of Law? If not, why not?

THE HON. MR. A. E. PORTER : (a) No.

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

MISBEHAVIOUR OF MILITARY PERSONNEL IN KARACHI

71. **THE HON. RAJA YUVERAJ DUTTA SINGH :** Will Government make a statement relating to the alleged misbehaviour of some military personnel who are alleged to have forcibly entered residential quarters and created panic in Karachi some time back and the steps taken to punish the offenders?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : There have been no such recent incidents in Karachi involving either British or Indian troops, but enquiries

reveal that certain incidents did occur there in which American soldiers were involved in affrays with the local inhabitants. Disciplinary action was taken by the American authorities in all cases reported. Arrangements were also made to reinforce the American Military Police in the Karachi area and no affrays have since been reported.

SOLDIERS OF THE "AZAD HIND FAUJ", ETC.

72. THE HON. RAJA YUVERAJ DUTTA SINGH: Will Government state: (a) The total number of soldiers of the "Azad Hind Fauj" who have been brought to India and the places where they are at present lodged? How many of them have been released?

(b) The total number of soldiers of the "Azad Hind Fauj" in Malaya, Burma and other places, and how they have been disposed of?

(c) Is it a fact that owing to invalid currency, and other causes about 400,000 Indians in Malaya and elsewhere, who were in sympathy with "Azad Hind Fauj" are in dire need of relief and assistance? If so, what has been done for them?

(d) Will Government lay on the table the reports which they may have received from their representatives in those territories on this subject or at least place the copies in the Council Library for the perusal of Hon. Members? If not, why not?

THE HON. DR. N. B. KHARE: (a) Officers	153
V.C.Os.	416
I.O.Rs.	15,606

On return to India they are held for enquiry at holding centres at Multan and Jhikargacha (including Nilganj and Baraset).

11,290 have been released from detention.

(b) Singapore	1,864
Burma	15
Malaya	1,132

They are being sent to India as soon as possible.

(c) and (d). Government have had information that as a result of war conditions, many Indians in Malaya, Burma and Siam are in need of relief and assistance. The exact number of such Indians is not known. The Government of India's representatives have studied their condition in Malaya, Burma, Siam and Indo-China. A copy of a Press Communique giving the substance of the report on Malaya and of the action taken by Government is laid on the table. A copy of a note indicating the action taken by Government in some of the other countries is also placed on the table. It will not be in the public interest to publish the original reports at this stage.

PRESS NOTE

RELIEF OF INDIANS IN FAR EAST

STEPS TAKEN BY GOVERNMENT OF INDIA

Four Medical Parties to be sent to Malaya

Steps taken by the Government of India for the relief of Indians in liberated territories in the Far East include arrangements for repatriation, relief of labourers and destitutes, supply of clothing to women labourers and medical assistance. Four Medical Relief Parties, consisting of doctors and compounders with necessary medical equipment and stores, are being sent to Malaya.

Shanghai

A sum of Rs. 3,00,000 was sanctioned for the relief of Indians in Shanghai and arrangements made for repatriation from Shanghai and other places in China. Up till now, 1,159 Indians have returned to India. The Indian Agent-General in China, Mr. K. P. S. Menon, has twice visited Shanghai and has established an Advisory Committee of representative Indian residents.

Siam and French Indo-China

A sum of Rs. 1,00,000 has been placed at the disposal of the Delegate in Siam of the International Red Cross Committee for the relief of Indian labourers who had been employed by the Japanese on the Burma-Siam Railway. The Allied Military authorities have made arrangements for the medical treatment of those labourers who needed it. The question of arranging repatriation of these labourers is also engaging the attention of the Allied Military authorities.

Mr. M. S. Aney, the Government of India's Representative in Ceylon, has been deputed by the Government of India to look into the conditions of Indians in Siam and French Indo-China.

Philippines

One hundred and two Indians, mostly Sindhi merchants and their employees, have been repatriated from the Philippines.

Malaya

Another sum of Rs. 1,00,000 has been placed at the disposal of the Representative and Liaison Officer of the Government of India with the Supreme Allied Commander, South East Asia for the relief of destitute Indians in Malaya. He has already placed fundst. at the disposal of non-official organisations for distribution in deserving cases.

The Government of India have decided to send such medical aid and drugs as are necessary for the treatment of ailing Indians in Malaya, particularly of Indian labourers who were employed on the Burma-Siam Railway and who are said to be in need of medical assistance. In the first instance, arrangements are being made to send out four Medical Relief Parties, each consisting of doctors, compounders, etc., with the necessary medical equipment and stores.

The question of the lack of clothing, especially for women labourers in Malaya, is also engaging the attention of the Government of India and steps are being taken to afford necessary relief in this direction.

Arrangements have been made for the repatriation of Indians from Burma, Malaya and other Commonwealth Countries. Owing to the great pressure on transport, it has been found necessary to extend repatriation facilities only to "Compassionate cases" in small batches. Larger batches will be repatriated as and when shipping facilities become available.

Information and Broadcasting Department.
New Delhi, January 11, 1946.

PRESS COMMUNIQUE

GOVERNMENT TO DEFEND DETENUS IN MALAYA.

ARRANGEMENT FOR PANEL OF LAWYERS

Relief and other Measures announced

PANDIT KUNZRU AND MR. KODANDA RAO LEAVING SHORTLY

The Government of India have since received a full report from Mr. S. K. Chettur, I.C.S., their Representative and Liaison Officer in Malaya, on the condition of Indians there. They have also had the advantage of personal discussion with him.

In the course of a fortnight's tour Mr. Chettur made a rapid survey of the condition of Indians in Malaya. He contacted all classes of the Indian community and all shades of local Indian public opinion. He interviewed a large number of the Indians now in detention and studied the conditions in which they were lodged. He visited rubber estates and relief centres set up by the British Military Administration (Malaya) and private charitable organisations. Mr. Chettur also established close personal contacts with officers of the Headquarters staff of the Supreme Allied Commander, South East Asia Command, and of the British Military Administration (Malaya) who welcomed his arrival. Mr. Chettur obtained their co-operation in dealing with the problems affecting the Indian community.

The total number of Indians arrested by the Military Administration in Malaya was 114, of whom 9 have been released unconditionally and 32, released provisionally, six of the remaining 73 are under house arrest. Out of these 73, three are alleged to have been war criminals, 4 Japanese informers and 15 collaborators guilty of committing crimes or acts of cruelty. The charges against the remaining 51 are of collaboration with the Japanese, of being important members of the Indian Independence League or of joining the Indian National Army. Thirty-one out of the 73 have already been placed before special magistrates for preliminary enquiry.

These Indians have been detained in several jails all over the country and Mr. Chettur found their general health and condition to be satisfactory. In most jails they are being provided with food from their own home and where this is not being done satisfactory provision for food has been made. Relatives are ordinarily being allowed to interview them.

The arrests have been made at the instance of the Field Security Unit and those arrested are to be produced before special courts of preliminary enquiry. On the basis of the findings of these courts persons will be committed to the supreme court for regular trial. Mr. Chettur has had special consultations with the prominent Indians arrested regarding arrangements for their defence. Active effort is being made to ensure that the preliminary enquiry and the trial are expedited.

PANEL OF LAWYERS TO BE SENT

In the peculiar circumstances of the case, the Government of India feel that they themselves should undertake the defence of their nationals and provide counsel at the expense of the Government of India, particularly for those who are unable to arrange for their own defence. They have, therefore, decided to send out to Malaya, as soon as possible, with the consent of the South East Asia Command, a suitable panel of competent lawyers from India, Mr. Ramani, a well known barrister of Malaya, has reached there and has already been engaged by the Government of India. The measures which the Government of India propose to take for their defence are in keeping with the wishes expressed to Mr. Chettur by practically all the prominent Indians now under detention.

By the co-operation and courtesy of the Supreme Allied Commander, South East Asia Command, it has been possible for arrangements to be made for the Government of India to depute to Malaya the Hon. Pandit Hirday Nath Kunzru, Member of the Council of State and of the Standing Committee of the Department of Commonwealth Relations, and Mr. P. Kodanda Rao. They have first-hand experience of Indians overseas and they will be able to advise the Government of India's Representative and the Indian community in Malaya as regards the various measures that may have to be taken to relieve their present condition. They will leave for Malaya before the end of this month.

MEDICAL AND OTHER RELIEF

Mr. Chettur also studied carefully the condition of the Indian population, particularly of the large number of Indian labourers who are now in distress. The British Military Administration and local charitable organisations have already set up relief centres for these people. Funds have been placed at Mr. Chettur's disposal and he has already taken effective action for the improvement of the diet of those who are suffering from malnutrition and for the supply of clothing. A woman Welfare Officer has been appointed to pay special attention to the needs of women and children on the estates. Arrangements for medical relief have also been made and the Government of India are shortly sending out four medical parties with a large store of medical supplies. The British Military Authorities have made arrangements for the employment of able bodied labourers on rubber estates. Reasonable wages are being paid to the men and women employed on this labour.

Many of the Indians are anxious to return to India for rest and recuperation. Immediate return of very large numbers will not be feasible owing to the shortage of shipping, but the British Military Administration have agreed to take action to facilitate their early return; and non-official committees are also being set up at Singapore and Kuala Lumpur to advise regarding suitable priorities for their return.

There is a certain amount of unemployment amongst Indians of the middle classes, particularly those who have suffered from the non-recognition of the Japanese currency. They have, however, tided over the initial period of distress and Mr. Chettur has made arrangements for granting suitable financial assistance to those who are still unable to help themselves.

Mr. Chettur will return to Malaya by the end of this month. The Government of India will maintain the closest contact with him and continue to give Indians in Malaya all the help they can. In the meanwhile Mr. Nataraja Pillai Government of India's Assistant Agent, is looking after the interests of Indians in Malaya.

Commonwealth Relations Department.

New Delhi, December 13, 1945.

EXODUS TO SIMLA

73. THE HON. RAJA YUVERAJ DUTTA SINGH: Is it a fact that Government contemplate to resume the "Simla exodus" on the pre-war scale? If so, why do not the Secretariat and the officials stay in Delhi all the year round?

THE HON. MR. A. E. PORTER: There will be no exodus to Simla during the summer of 1946.

BUILDING OF VESSELS BY INDIAN COMPANIES

74. THE HON. RAJA YUVERAJ DUTTA SINGH: Is it a fact that an Indian Company at Vizagapatam offered to build large ocean-going vessels, and place them at the disposal of His Majesty's Government during the war; but

this offer was turned down. Will Government state the name of this Indian Company and why was the offer rejected?

THE HON. MR. M. W. M. YEATTS: Yes, Sir. The Scindia Steam Navigation Company had a project for building ocean-going ships at Vizagapatam and were willing to place the ships, when completed, at the disposal of Government. This offer was not turned down; on the contrary, the Government of India encouraged the scheme and were assisting the firm to obtain from abroad the necessary machinery to complete it. After the bombing of Vizagapatam in 1942, it unfortunately became necessary to suspend it. The intention was to resume the project when conditions permitted, and in fact a start has been made.

FORFEITURE OF PAY OF INDIAN NATIONAL ARMY PERSONNEL

75. **THE HON. RAJA YUVERAJ DUTTA SINGH:** (a) Is it a fact that special orders have been issued by General Headquarters of the Indian Military Command to all demobilisation centres that no I.N.A. man should be given any pay for the period which he has spent in enemy prison camps, or afterwards, in the Indian National Army?

(b) Is it a fact that the orders also prohibit the payment of any gratuity, deferred pay or other allowances which are given to discharged soldiers?

(c) If the replies to (a) and (b) are in the affirmative, why such orders were issued?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a), (b) and (c). I would invite the attention of the Hon. Member to the Press Note on the subject which was released on the 28th of December last, a copy of which has been placed in the Library of the House.

REPARATIONS

76. **THE HON. RAJA YUVERAJ DUTTA SINGH:** Are Government aware that there is a general feeling that India is not receiving a fair share of heavy machinery which has been obtained, or which is going to be obtained from Germany and Japan by way of reparation, although her contribution to war efforts was very liberal? Will Government make full statement on the subject detailing the items of heavy machinery, and its approximate value allotted to India?

THE HON. MR. Y. N. SUKTHANKAR: 1. Yes. The position regarding German reparations is briefly as follows: As the Hon. Member is aware, a conference on German Reparations at the official level was held at Paris in November last and India was represented at this conference. Under the Agreement reached at Paris, India has been allotted 2 per cent of the general reparations called category 'A' and 2.9 per cent of industrial and other capital equipment called category 'B'. 3 lists of capital equipments have been received by the Government of India as available for advance deliveries of reparations from Germany and India has made a bid for certain items in those lists. Further lists are expected to be received when the Control Council in Berlin has decided what further equipment should be made available. The allocation of equipment to India, as to other countries entitled to a share, will be made by the Reparations Agency which has been set up in Brussels. India is represented on this Agency and has the same rights as all other countries.

Considering all the circumstances, the Government of India therefore feel that India has succeeded in obtaining a fair share of German reparations.

2. As regards Japanese reparations, the question is still under discussion. The Government of India are pursuing the matter and would endeavour to get the best possible terms at the reparations conference.

CONSTRUCTION OF A RAILWAY BRIDGE OVER THE GANGES AT PATNA

77. **THE HON. RAJA YUVERAJ DUTTA SINGH:** (a) Will Government state when the work of constructing a railway bridge over the Ganges at Patna

(Bihar) is likely to be taken up and completed? What is its estimated expenditure?

(b) Will Government state whether the proposed bridge is intended for other wheeled traffic besides the Railway, and also for pedestrians?

THE HON. SIR ARTHUR GRIFFIN : (a) As the project for the construction of a combined road and rail bridge over the river Ganges at or near Patna or Mokameh Ghat is at present under active investigation in the field, Government are not in a position to supply the information asked for.

(b) The project, as I have stated, is for a combined road and rail bridge. The requirements of pedestrians will also be taken into account.

CONVERSION OF AN INTER CLASS COMPARTMENT INTO A FIRST CLASS COMPARTMENT

78. THE HON. RAJA YUVERAJ DUTTA SINGH : Will Government make a statement relating to an incident which is alleged to have taken place on or about the 4th December, 1945, at Lucknow junction railway station, when an inter class compartment attached to the G. I. P. Express was forcibly got vacated by the railway staff, and turned into a first class compartment for the use of the family of an European officer, in spite of the protests of the inter class Indian passengers to the European Station Superintendent? Who was the European officer for whose family the inter class compartment was vacated; and what steps have been taken against those responsible for this occurrence?

THE HON. SIR ARTHUR GRIFFIN : On 4th December 1945, there was a heavy rush of upper class passengers wanting to proceed from Lucknow to catch a ship leaving Bombay on the 6th or 7th December 1945. On a request from Mr. Cowan, Additional Deputy Secretary, Industries and Supply Department, U. P., for accommodation in the train for 3 European ladies and 2 children travelling to Kathgodam to Bombay for the ship, the acting Station Superintendent, Lucknow Station, ordered conversion of an inter class compartment in the through Lucknow-Bombay coach on 604 Up of 4-12-45 into a first class compartment. Of the inter-class passengers who vacated the compartment on its conversion into first class, 5 returned their tickets for cancellation while the rest were accommodated elsewhere in the train. Suitable disciplinary action was taken by the East Indian Railway Authorities against the Station Superintendent for his irregular action.

THE HON. MR. G. S. MOTILAL : What was the action taken?

THE HON. SIR ARTHUR GRIFFIN : He was severely reprimanded.

PROPOSED INDO-BURMA IMMIGRATION AGREEMENT

79. THE HON. MR. SURPUT SINGH : Will Government state:—

(a) Whether an Agreement is in contemplation between the Government of India and the Government of Burma?

(b) Whether non-official Indians will find place on the committee that will settle the terms of the Agreement?

(c) If so, who they will be?

(d) The necessity that has arisen to undertake such an Agreement?

(e) Whether the Agreement is already a settled fact?

(f) Will Government also state:—

(i) the names of persons who represented India;

(ii) the place where the terms and provisions were discussed and settled;

(iii) the main terms and provisions thereof;

(iv) the provisions that concern and affect this country in particular?

THE HON. DR. N. B. KHARE : (a) Negotiations have been pending for an agreement with the Government of Burma on the question of Indian immigration into Burma.

(b) and (c). Presumably the Hon. Member has in mind the composition of any delegation that Government of India may appoint for negotiating an agreement. No decision has been taken in this connection.

(d) For safeguarding the rights and status of Indians in Burma it is desirable to conclude an agreement with the Government of Burma regarding Indian immigration into that country.

(e) and (f). No agreement has yet been concluded ; so the further questions do not arise.

BRETTON WOODS AGREEMENT

80. **THE HON. MR. SURPUT SINGH :** Will Government state :—

- (a) The full scheme of the Bretton Woods Agreement ?
- (b) The main provisions of that Agreement ?
- (c) Why India has been made a signatory to the Agreement ?
- (d) What particular benefits will accrue to India by being made a party to it ?
- (e) The amount of contribution that India will have to make (i) at a time (ii) annually towards the upkeep of the Institution that will come into being as a result of the Agreement ?
- (f) Whether Indians will find place in the Institution ?

THE HON. SIR CYRIL JONES : (a) and (b). I would refer the Hon. Member to the Final Act of the United Nations Monetary and Financial Conference.

(c) and (d). The Hon. Member's attention is invited to the paper entitled "India and the Bretton Woods Agreements" and in particular to paragraphs 12 to 25 thereof ; also to the Press Communiqué, dated the 24th December 1945 on the subject of the Bretton Woods Agreements.

(e) India's subscription to the Fund is \$400 million. The entire amount (less \$40,000 already paid) is expected to be paid in the next financial year. The value of India's share holdings of the Bank is \$400 million. Of this \$40 million (less \$40,000 already paid) are expected to be paid in the next financial year. Another \$40 million will be paid later on while the remaining \$320 million will be a reserve liability. No annual contribution towards the upkeep either of the Fund or of the Bank will be made.

(f) Most certainly, Sir.

THE HON. SIR N. GOPALASWAMI AYYANGAR : Do Government intend to bring this matter up for discussion in this House ?

THE HON. SIR CYRIL JONES : The question has not yet been considered. The matter is still officially before the Legislative Assembly.

THE HON. SIR N. GOPALASWAMI AYYANGAR : Could the Hon. Member tell us why this House was not convened for discussing this matter before the Government of India put their signature to these documents ?

THE HON. SIR CYRIL JONES : That has already been fully explained in the Press Communiqué to which I have invited the attention of the Hon. Member who has put the question.

THE HON. SIR N. GOPALASWAMI AYYANGAR : Was a Press Communiqué published recently ? I am not aware of that.

THE HON. SIR CYRIL JONES : On the 24th of December 1945, Sir.

THE HON. SIR N. GOPALASWAMI AYYANGAR : Is that part of the special consideration which the Government showed to this House namely, that they do not wish it to discuss petty matters of this description ?

THE HON. SIR CYRIL JONES : I am sorry I do not follow the question.

PAPER CURRENCY

81. THE HON. MR. SURPUT SINGH : Will Government state :—

- (a) The total amount of paper currency in circulation in this country in the year just before the war broke out ?
- (b) The amount by which that currency was inflated in 1940-41, 1941-42, 1942-43, 1943-44 and 1944-45, respectively ?
- (c) The total amount of such currency which is at present in circulation in the country ?
- (d) What step or steps are being taken to bring down the inflation in the paper currency ?

THE HON. SIR CYRIL JONES : (a) and (b). I would refer the Hon. Member to the Reserve Bank of India's Report on Currency and Finance for the year 1944-45, a copy of which is available in the Library of the Legislature, and to its weekly accounts which are published in the Gazette of India.

(c) The notes in circulation on the 15th February 1946 amounted to Rs. 11,97,55,30,000.

(d) Anti-inflationary measures, the retention of which in the changed conditions brought about by the termination of hostilities is considered desirable, are still being pursued. I might mention in particular the Government's saving and borrowing campaign. These steps, in combination with a reasonably rapid rate of demobilisation, a considerable reduction in defence demands on India's resources and maximum assistance in the matter of reconversion should accentuate the retardation of the rate of currency expansion which has already set in, if not actually reverse the trend.

PAPER CURRENCY

82. THE HON. MR. SURPUT SINGH : Will Government state :—

- (a) The statutory powers by which the Government of India have augmented the Paper Currency during the years of the war ?
- (b) The statutory authority under which they have debased the coinage by introducing nickel and bellmetal in small coins ?
- (c) The statutory authority under which they have reduced the silver contents in the current rupee, half rupee and quarter rupee ?
- (d) The statutory powers under which they have declared Queen Victoria Edward VII, George V and George VI silver rupees (up to 1939 coinage) declared as withdrawn from circulation ?
- (e) The total amount in circulation by which small coins have been debased from silver up to date ?

THE HON. SIR CYRIL JONES : (a) The statutory power to issue paper currency in British India vests in the Reserve Bank of India under section 22 of the Reserve Bank of India Act.

- (b) Section 6 of the Indian Coinage Act, 1906.
- (c) Section 5 of the Indian Coinage Act, 1906.
- (d) Section 15A of the Indian Coinage Act, 1906.
- (e) I regret that I am unable to understand the question.

WORKING OF HIS MAJESTY'S MINT

83. THE HON. MR. SURPUT SINGH : Will Government state :—

(a) Whether His Majesty's Mint was open at any time to minting on behalf of private individuals ?

(b) If so, the reason or reasons for which that practice was discontinued ?

(c) When it was first suspended ?

(d) Whether it is a fact that recently that practice has again being thrown open to the public ?

(e) The special reasons for which that move has been made ?

(f) Whether turning out of sovereigns only is for the present undertaken ?

(g) If the reply to (f) is in the affirmative, what is the quality and the quantity of gold bullion needed for turning out 1,600 sovereigns ?

(h) What is the gold and alloy content, which will go in each such sovereign ?

(i) What are the minting charges for turning out the quantity mentioned in (g) levied at present ?

(j) The charges which used to be levied for turning out similar quantity of sovereigns for private persons before the old practice was discontinued ?

(k) Whether private minting of silver coins will also be undertaken gradually ?

THE HON. SIR CYRIL JONES : (a) Yes, up to the year 1892, but for silver rupees only.

(b) In order to control the quantity of silver coin put into, or withdrawn from, circulation.

(c) In the year 1893.

(d) No, Sir.

(e) Does not arise.

(f) Sovereigns have never been minted in the Indian Mints.

(g) This question does not arise ; but 1,600 sovereigns contain 376·64 fine ounces or 1,004·38 fine tolas of gold and 91·39 tolas alloy.

(h) A sovereign weighs 123·27 grains of which 112·99 grains are pure gold and 10·28 grains alloy.

(i) Does not arise.

(j) Does not arise.

(k) No, Sir.

EXPORT OF COTTON TEXTILES

84. THE HON. MR. SURPUT SINGH : Will Government state :—

(a) Whether considerable quantities of Indian cotton textiles were sent outside the country for commercial purposes during the years of the war ?

(b) If the answer is in the affirmative, what was the total quantity which went to (i) Egypt, (ii) China, and (iii) Ceylon, respectively, during 1942-43, 1943-44 and 1944-45, respectively ?

(c) Whether Government carried out the business themselves or had in done through some firm or agency ?

(d) If through some firm or agency, the name or names of such firms or agents ?

(e) The profits which have accrued to the Indian Exchequer from those Indian cotton textile transactions abroad ?

THE HON. MR. Y. N. SUKTHANKAR : (a) Export of cotton textiles for commercial purposes was permitted from India during the war years, mostly on the basis of a world allocation.

(b) A statement is laid on the table of the House.

(c) Exports were allowed through normal trade channels except in the case of China where the exportable quantity for the period July 1944 to June 1945 was bartered by Government for Chinese silk required for essential military requirements.

(d) and (e). In view of the answer to part (c) above, the questions do not arise.

THE HON. MR. M. THIRUMALA ROW: With regard to (a), what is the authority that has made these allocations and has India got any voice in this matter?

THE HON. MR. Y. N. SUKTHANKAR: Yes, the Combined Production Resources Board at Washington. But we are always consulted before allocations are made.

I.—Cotton Piecegoods

Destination.	Quantity (Yards)			Value		
	1942-43	1943-44	1944-45	1942-43	1943-44	1944-45
Egypt .	31,391,807	1,657,755	49,955	Rs. 1,28,70,678	Rs. 11,21,507	Rs. 30,098
China .	5,934	43,203	Nil	2,000	44,526	(not available.)
Ceylon .	52,525,212	37,649,992	43,799,701	2,99,48,675	4,84,30,259	7,83,57,278

Destination.	Quantity (Pounds).			Value		
	1942-43	1943-44	1944-45	1942-43	1943-44	1944-45
Egypt .	1,307,657	74,665	39,980	Rs. 12,91,103	Rs. 1,84,330	Rs. 1,61,358
China .	nil	1,200	nil	nil	7,600	nil
Ceylon .	219,267	345,052	280,000	2,71,161	7,10,267	(not available.)

COTTON MILLS PLACED UNDER THE MILITARY.

85. **THE HON. MR. SURPUT SINGH:** Will Government state :—

(a) How many Indian cotton mills were placed under full military control for turning out cloth needed for military personnel only?

(b) The total quantity which was produced by such mills during the last four years of the war?

(c) The total amount which has been paid to the mills for such military supplies?

(d) For how many years those mills have been kept employed for that purpose only?

THE HON. MR. M. W. M. YEATTS: (a) None.

(b) to (d). Do not arise.

THE HON. MR. M. THIRUMALA ROW: Were they under semi-military control, if not under full military control?

THE HON. MR. M. W. M. YEATTS: At the beginning military supplies were obtained on tender. Thereafter they were distributed over the industry by a textile panel and carried voluntarily by the industry throughout.

THE HON. MR. M. THIRUMALA ROW: Have any mills been requisitioned by the Government of India for their needs under the Defence of India Rules? Have you taken hold of any mills for your own production?

THE HON. MR. M. W. M. YEATTS: No.

THE HON. MR. G. S. MOTILAL : Were not one or two mills taken possession of by Government some time back ?

THE HON. MR. M. W. M. YEATTS : No.

EXPORT OF RAW COTTON TO CHINA

86. THE HON. MR. SURPUT SINGH : Will Government state :—

(a) Whether it is a fact that considerable quantity of raw cotton was flown across the Himalayas from India to China in American planes during the later years of the war ?

(b) The total quantity so flown ?

(c) Whether it was for commercial purposes or for relief ?

(d) Whether Government themselves carried on the business ?

(e) If not, the agents through whom the transactions were made ?

(f) Whether any profits were made on the transaction ?

(g) What was the total amount of profits ?

(h) Whether the profits were shared with the American allies ?

(i) Whether acute stringency of cotton textiles was prevailing in this country when the said transactions were made. ?

THE HON. MR. M. W. M. YEATTS : (a), (b) and (c). At the request of the Chinese High Commissioner, the Government of India last summer supplied the following quantities of raw cotton to the Chinese Government for relief purposes :—

(i) 14,181 bales of Oomra Deshi (short staple).

(ii) 1,794 bales of Jarilla $\frac{3}{4}$ ".

This cotton was sent by rail to Assam at the cost of the Chinese Government. From there, under arrangements made between the Chinese Government and the American authorities, it was flown in American aircraft to China.

(d) Yes.

(e) Does not arise.

(f) No.

(g) and (h). Do not arise.

(i) Cotton textiles were in short supply in India at the time of this transaction, as they are now. The types of cotton supplied to the Chinese Government were surplus to India's requirements.

THE HON. MR. M. THIRUMALA ROW : With regard to (f), have Government incurred any loss, if not profits ?

THE HON. MR. M. W. M. YEATTS : No, Sir.

APPOINTMENT OF MR. MORTON AS CHIEF PSYCHOLOGIST

87. THE HON. MR. SURPUT SINGH : Will Government state :—

(a) Whether one Mr. Morton declared to be a psychologist is being brought out from Canada as a specialist ?

(b) What consideration or considerations have led Government to appoint a foreigner as their consulting psychologist ?

(c) What was the special urgency for making such an appointment at such a time ?

(d) Whether " carrying out research in methods of selection of personnel for services under the Government of India " was not possible through some selection made from the existing well-equipped Psychological Department of the Calcutta University ?

(e) Whether Government have tried to find out if a more suitable person with British qualification was not available in this country for the duties for which a man from Canada is appointed ?

THE HON. MR. A. E. PORTER : (a) Yes.

(b) to (e). War service candidates for the reserved vacancies in the various services are being tested by selection boards of the type used by the Defence Services during the war. On the technical side these boards will be supervised by the Employment Selection Bureau which Government have set up to investigate and advise as to the application of these modern methods of selection to civil needs generally, e.g. for the purpose of recruitment to the public service and for more general employment purposes such as suitability for higher education and vocational training. Mr. Morton has been appointed as Chief Psychologist in this Bureau. The post requires a high degree of technical attainment and experience. Few men with the necessary qualifications are available and one could not be found in India or in the United Kingdom. The Agent General in Washington was then consulted and after enquiry he recommended Mr. Morton who during the war was Technical Director of Personnel Selection in the Canadian Defence Headquarters and who before the war was on the professorial staff of the McGill University.

THE HON. KHAN BAHADUR KERAMAT ALI : Was this post advertised in India and were applications called for from candidates in India ?

THE HON. MR. A. E. PORTER : No, Sir.

THE HON. MR. M. THIRUMALA ROW : Will he examine the psychology of the present members of the Government of India ?

THE HON. MR. SUSIL KUMAR ROY CHOWDHURY : How does the Government know that there is no one fit for this post in India.

THE HON. MR. A. E. PORTER : It is a very large question and the actual fact is that the qualifications required are such that there are in the whole world only a very limited number of men who possess them. Inquiries were made to find suitable people and it was decided that this gentleman was the best that could be got in the circumstances. I may say it is a rather technical question on which I feel that perhaps Hon. Members of this House have not had an opportunity of hearing the full facts ; and if the House desires and if you permit, I am prepared to make a statement or if you prefer I shall lay a statement on the table now.

THE HON. THE PRESIDENT : I think it is advisable to lay the statement on the table.

THE HON. MR. A. E. PORTER : Thank you, Sir. I might add that if any member of this House would like to see a Selection Board at work I shall be glad to arrange for an opportunity of his visiting one.

THE HON. PANDIT HIRDAY NATH KUNZRU : Has this gentleman been permanently appointed or only for a term of years ?

THE HON. MR. A. E. PORTER : Only for a term of years—three years in the first instance, subject to termination by six months' notice on either side after the first year.

HOME DEPARTMENT

Reasons for adopting the Selection Board procedure for recruitment to 'war reserved' vacancies.— In deciding a method of recruitment to 'war reserved' vacancies Government were faced with the problem of selecting a comparatively few persons from a very large field of candidates without recourse to a competitive written examination. Interview by mere selection was also considered impracticable because of the large number of candidates. It was, therefore, decided to carry on

a preliminary test by means of selection boards of the type used by War Department for selecting officers for Commissions. This method had been used for recruiting officers from the Forces to reinforce civil Government towards the close of the war.

2. *Process of selection by civil Selection Boards.*—The tests fall into two main groups (a) intelligence tests (b) practical and outdoor tests. The second group is designed to test the candidate (a) as an individual (b) in his relations with others, i.e., his fellow candidates. At the end of the course which lasts for 2½ days a full meeting of the Board takes place at which the various officers who have tested and interviewed the candidates pool the results of their observations and a final verdict about each candidate is reached.

The F. P. S. C. will summon candidates for final interviews on the basis of the selection board results.

3. *Functions of the Employment Selection Bureau.*—The Employment Selection Bureau is entrusted with the functions :—

(a) To investigate and advise the Government of India, the Federal Public Service Commission and Provincial Governments on the application of technical methods of selection for the purposes of recruitment to the various branches of the public service and for more general employment purposes such as suitability for industrial and vocational training or for any particular form of employment.

(b) To train and maintain a Selection staff for the purpose of carrying out these methods of selection.

(c) To superintend the technical work of the selection boards set up by the Government of India for the testing of candidates for war-reserved vacancies in the Indian Civil Service, the Indian Police, the Central and Provincial Services.

4. *Staff of the Employment Selection Bureau and Selection Boards.*—This is the first occasion on which Government have attempted to use for purposes of selection to civil services modern methods of selection involving the use of trained Psychiatrists.

It was originally hoped to borrow the staff required from the War Department but in the result the War Dept. were unable to spare staff. The Civil Government had therefore to recruit for itself. Some officers have been found in India but for the senior men required, who must be highly qualified and trained, Government had to go outside India. In the case of the chief psychologist a suitable candidate could not be found in the U.K: men with the requisite attainments and experience are extremely rare, and the few qualified men in the U.K. were already committed elsewhere. The Agent General in Washington was accordingly approached who after thorough enquiry recommended Mr. Morton. Mr. Morton was in charge of this branch of work in the Canadian Army during the war and the Govt. of India are fortunate in securing his services.

AERODROMES CONSTRUCTED IN BENGAL DURING THE WAR

88. THE HON MR. SURPUT SINGH: Will Government state :—

(a) The exact number of aerodromes which have been constructed in the Province of Bengal for military purposes during the years of the war ?

(b) Whether in construction of those aerodromes considerable lands and jungles had to be cleared and innumerable big trees had to be cut down in the neighbourhood of the places where they were constructed ?

(c) Whether the felling down of big trees and levelling up of grounds have not manifestly affected the geological features and physical conditions in the neighbourhoods of those aerodromes ?

(d) Whether it is not a fact that the presence of big trees materially induce clouds to gather over them and cause even rainfall in their neighbourhood ?

(e) Whether now in the absence of the umbrageousness on account of the excessive cutting down of trees the countryside in numerous places in Bengal has become liable to abnormal or subnormal rainfall ?

(f) Whether indications are already evident of a perceptible change in the climatic conditions as well as in rainfall in Bengal ?

(g) Whether a scientific survey of the situation that has arisen by the cutting down of big trees all round in considerable numbers and levelling up and down on the earth surface all over the Province will be undertaken in time to prevent any natural catastrophe in future ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) 69 airfields of which more than half were satellites or emergency landing grounds.

(b) Considerable areas of land had to be cleared to construct these airfields which were made necessary by the over-riding needs of war. Very few of the airfields were sited in heavily wooded areas and, in no case was the number of big trees great and was, in fact, restricted to the minimum necessary to secure the operational efficiency of the airfields.

(c) to (g). In view of the reply to part (b), these parts do not arise.

DACCA-ARCHIA RAILWAY

89. THE HON. RAI BAHADUR SATYENDRA KUMAR DAS: Will Government state: (a) Whether Dacca-Archia Railway project is likely to be considered in connection with the Post-war Scheme of railway construction in Bengal?

(b) If the answer is in the negative, will Government state the reasons therefor?

(c) Is it a fact that Dacca-Archia Railway project was dropped on the objections of the Government of Bengal on the grounds of public health?

(d) If the answer is in the affirmative, will Government state whether in view of the malaria survey carried out by the District Board of Dacca, they propose to ask the Government of Bengal to withdraw their objection?

(e) Is it a fact that the Manikganj sub-division in the district of Dacca remains cut off from the headquarter of the district for the greater part of the year on account of the gradual silting of the River Dhaleswari in the absence of the facilities of railway travel in those areas?

THE HON. SIR ARTHUR GRIFFIN: (a) The project was considered in consultation with the Government of Bengal and it was decided to exclude this project from the list approved for survey.

(b) Does not arise.

(c) The Government of Bengal objected to the project both on the grounds of "Public Health" and "Irrigation."

(d) Government are not in possession of any report of malaria survey, carried out by the District Board of Dacca. A report by the Public Health Department of the Government of Bengal on this subject is being studied in the Railway Department.

(e) Government have no information at present.

RELEASE OF PASSENGER COACHES BY THE MILITARY

90. THE HON. RAI BAHADUR SATYENDRA KUMAR DAS: (a) Has the attention of Government been drawn to the recent speech delivered by Rai Bahadur N. C. Ghosh, General Manager, E. I. R., in which he stated that the restoration of the pre-war facilities of railway travel could not take place on account of the non-release by the Military Department of a large number of passenger coaches of the said railway?

(b) Will Government state why railway passenger coaches are not being released although the war is over?

THE HON. SIR ARTHUR GRIFFIN: (a) Yes.

(b) Although hostilities have ceased, large movements of Military personnel still continue in connection with the repatriation of British and allied troops, and the demobilisation of Indian troops. These movements are likely to continue at the present high level for at least another three months. Thereafter the movements will begin to diminish steadily, but no sudden decrease can be expected as the factors of repatriation and demobilisation will still be present.

RESOLUTION *RE* ABOLITION OF THE COUNCIL OF STATE

THE HON. MR. G. S. MOTILAL (Bombay : Non-Muhammadan) : I beg to move that :—

“ This Council recommends to the Governor General in Council that unless the relevant rules are amended and the number of elected members in this Council raised to forty, before the next general election, His Majesty's Government be approached to abolish this Chamber .”

It will be recalled, Sir, that over a year ago I moved a Resolution here which was framed in different language but it was on the same subject. It was a more comprehensive Resolution and there were six parts to it. Today, Sir, I do not propose to go into the details. I wish to lay emphasis on the substance of the Resolution. At that time I had also asked that the franchise be widened. I stand by that demand.

THE HON. THE PRESIDENT : Please confine yourself to the Resolution before the House.

THE HON. MR. G. S. MOTILAL : I only want to read the relevant remarks. I will confine myself to the Resolution before the House.

Sir, the Resolution moved at that time, as I said, was couched in a different language. At that time every section of the House, except the nominated Members—and even one of them gave his qualified support—supported the Resolution as can be seen from the proceedings of the House, I wish Sir A. P. Patro were here today as he had given me the fullest support, for what he said at that time was this.

THE HON. THE PRESIDENT : Hon. Member, may I draw your attention to Standing Order 125 which I will read to you :—

“ The discussion of a Resolution shall be strictly limited to the subject of the Resolution.”

THE HON. MR. G. S. MOTILAL : I have not said anything yet, Sir, beyond the subject of the Resolution. These remarks are relevant to the Resolution also.

THE HON. THE PRESIDENT : I have to follow the order and I have drawn your attention to it.

THE HON. MR. G. S. MOTILAL : Sir, I will submit to your ruling and your remarks.

Sir, what I am saying is that when this Resolution was discussed, Sir A. P. Patro said that I should bring this Resolution after the war was over as that would be the proper time. Sir, events have moved fast during the last six months. The war has come to an end. The collapse of Germany has occurred. It has been followed by the fall of Japan. We are now at the brink of a time when the Constituent Assembly is to be set up to frame a new constitution. I had imagined that the constitution making body would be set up earlier and that it would not be necessary to hold this election, but I find that the general election, is going to be held. Sir, if a general election is to be held and it is not possible to say for how long it will work, but it may be in operation for a year or two.

Now, is it in accordance with the new spirit that this House should continue with the composition that it has now ? Sir, section 63 of the Government of India Act was so framed that it would be open to the Government of India with the sanction of the Secretary of State to amend the rule so as to raise the number of elected members from 33 to any number up to 60.

I shall read the relevant section. This section is one which has been retained under the transitional provisions. It is section 63A. It says :

“The Council of State shall consist of not more than 60 members, nominated or elected, in accordance with rules made under this Act, of whom not more than 20 shall be official members.”

So, Sir, the section has given power to the rule-making authority to raise the number of elected members to any number up to 60, and the only other provision is that the official members shall not be more than 20. So, there need not be any official member according to this section and there need not be nominated member either, so far as this section goes. But this Government is not a responsible Government, and, therefore, a certain official element has to be in this House in order to answer the representatives of the public on the pleas which they make. I have, therefore, not asked—although I should be happy if an amendment were moved to accept it—that the number of elected members be raised to 50. As it is my proposition asks that the number of elected members should be raised to 40.

Sir, the value and influence of this House are reduced to a cipher by this overdose of nomination, and it is unable to render any useful service to the public. I had advanced arguments for the number being raised, and I do not propose to repeat them on this occasion. I yield to none in this House, or outside its precincts, in my desire to see at the earliest opportunity a purely elected Indian Legislature functioning in this country, be it unicameral or bicameral. But as practical men we know that before the new constitution comes into force, some time has to elapse, and for this interregnum, my appeal to Government is that they should raise the number of elected members to 40.

As I once said, representative opinion in this country and outside is that the House should have a senatorial character. Before I came into this House, the opinion which I held was that a second chamber had a useful purpose in the scheme of things. But my experience of the House has compelled me to think that if a second chamber is of this character, then it is better that it be abolished. So, Sir, before the next constitution comes into force, such a step should be taken, and it will be a gesture which will be in keeping with the declarations which have been made recently, since September last.

The House knows that even the 1935 Act which provided for a second chamber provided, so far as representation of British India is concerned, that 50 shall be the members elected by the representatives of the people, & the nominations were, except for a nominal number, done away with. I do not know what the Constituent Assembly will do, but I know one thing, that in this country the working of this Council of State has made the Council of State an object of ridicule. It does not command the respect that a Senate should command. What is the remedy, under these circumstances, and how can we improve it and give it something like a senatorial character by raising the number of elected members. What happens in this House today is this. Most of the Resolutions, whether they are of a right type or wrong type—but I say mostly of a right type—are simply murdered in this House irrespective of the merits. The Resolutions are nothing but recommendations, whether they be in this House or in the other House. Even those Resolutions are stopped by the Government. And they give, as we see, more respect to the Assembly because there is a larger element of elected representatives. If this Resolution is accepted and the number of elected members raised, it will invest this House with a certain amount of authority and influence. The popular view will then be before the House which will receive more attention than it does now at the hands of Government.

Sir, I would like the nominated members to believe me when I say that I do not wish to say anything to offend them and have not the slightest desire to say anything disparaging so far as they are concerned. My quarrel is with the system. My indictment is against the system. They have been esteemed friends of ours. If they were free from the shackles of the conventions, they might be voting with us on many matters. But it is the system which is at fault, and I want this system to be done away with. But before we do away with it—which I know this Government is not going to do—I want that the sting should be taken out of it. If that sting is taken away, it will add the usefulness of the Council of State.

I need not now go into the various sections. Section 129 is the section which relates to the rule-making power. When I moved the Resolution in the last session, I referred to it, and I need not go into it now. That section is before the House,

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and the Leader of the House knows it, and, therefore, I do not wish to take the time of the House by going through it again. But that section empowers the Governor General to make rules. The section with regard to the Assembly is also elastic ; it enables the Governor General to increase the number of elected members in the Assembly also, and reduce the number of nominated members there. But it is not for me in this House to take up that question. Those sections were so framed as to enable the bringing about of a more representative, if not responsible, government in this country. It is for the members of the other House to take up that question if they desire. But they are satisfied with the present position and want larger issues to be tackled. But so far as this House is concerned, there has been such dissatisfaction both among members here and in the country, that it is necessary that such a step should be taken.

Sir, I move.

THE HON. THE PRESIDENT : Honourable Mr. N. K. Das, will you now proceed with your amendments ?

THE HON. MR. N. K. DAS (Orissa : Non-Muhammadan) : Sir, after hearing the Hon. Mover of this Resolution I am prepared to revise my amendment, if you will permit me Sir, and if the Hon. Mover will be willing to insert the words "and the seats redistributed among provinces in such a manner as each separate province gets its due share of representation". These are the words that I want to be inserted in the Resolution.

THE HON. PRESIDENT : I don't think I can allow that. Will you please read your amendment ? It is usual to read the amendment first before you make your speech.

THE HON. MR. N. K. DAS : My amendment runs thus :—

- (i) That the word "unless" be omitted.
- (ii) That for the words "are amended and" the following be substituted, namely :—
"be amended".
- (iii) That after the words "raised to forty" the following words be inserted :—
"and the plural member constituencies be so split up and the seats redistributed among provinces in such a manner as each separate province gets its due share of representation".
- (iv) That the words "His Majesty's Government be approached to abolish this Chamber" be omitted."

THE HON. THE PRESIDENT : You have four separate amendments all put together in one amendment.

THE HON. MR. N. K. DAS : I would like to drop the whole of these four amendments if you will permit me, Sir.

THE HON. THE PRESIDENT : I have ruled it out of order. You will now make your speech.

THE HON. MR. N. K. DAS : Sir, my amended Resolution will stand thus :—

"This Council recommends to the Governor General in Council that unless the relevant rules are amended and the number of elected members in this Council raised to forty and the seats redistributed among provinces in such manner as each separate province gets its due share of representation—"

THE HON. MR. M. THIRUMALA ROW : It is already in the amendment he has given notice of. There will be no harm if the President admits that amendment.

THE HON. THE PRESIDENT : You can get up at the proper time. The Hon. Member is now addressing the House. You can speak after he has spoken.

THE HON. MR. N. K. DAS: Sir, my main object in moving this amendment was that the Mover had sought to raise the number of elected members in this House. As it is, the elected members in this House now happen to be 32 and it is sought to raise it to 40. When it is raised to 40 I believe these seats will be redistributed among the Provinces and each province will get its due share of representation. My main complaint has been that, Bihar and Orissa used to have 3 non-Muhammadan seats. But in 1936, in reply to a question asked in the other place, the Law Member said that they were contemplating to allot one of these three non-Muhammadan seats to Orissa, and that was only in alternate Council of State. In fact, the Hon. the Law Member, in his reply, said :—

“The Hon. Member will of course understand that it is only the period preceding Federation during which constituencies will overlap provincial boundaries”.

I will explain that matter, Sir. The Province of Orissa is carved out of three Provinces,—Bihar and Orissa, Madras and the Central Provinces. When this one non-Muhammadan seat was allotted to Orissa, it was laid down by the Governor General in Council that whenever Bihar and Orissa got 3 non-Muhammadan seats, one of these three will be allotted to Orissa and that Orissa, for that seat, will be considered to be a separate constituency. I will just read to you, Sir. It was stated in the Notification of the Government of India of the 12th May, 1936 :—

“For the purpose of any general election to the Council of State at which the Bihar and Orissa (Non-Muhammadan) Constituency is entitled under the provisions of Schedule I to the Council of State Electoral Rules to elect three members and of any by-election to the council for the constitution of which such general election is held, the said constituency shall be divided into two constituencies of the names and class and with the extent specified in the Table hereto annexed and each of the said two constituencies shall be entitled to the number of members so specified.

TABLE

Name of Constituency	Class of Constituency	Extent of Constituency	Number of Members
Bihar (Non-Muhammadan)	Non-Muhammadan	The Province of Bihar	2
Orissa (Non-Muhammadan)	Non-Muhammadan	So much of the province of Orissa as was on the 31st March, 1936, included in the Province of Bihar and Orissa.”	1

This means, Sir, that in every other Council of State, Orissa gets a representative and in the third, fifth and seventh and succeeding Councils of State Orissa is debarred from having a representative. As I have explained, Sir, the provinces of Madras, Bihar and Orissa and C. P. have overlapped their constituencies inasmuch as parts of these Provinces are now included in the separate province of Orissa.

The arrangements, as I have already said, were of a very temporary nature and Federation was expected in about 1937. It was only for the transitory period that this arrangement was made. It was anticipated that Federation would come into being. I wish further to say that if Federation had come into being it was contemplated that Orissa would have 4 non-Muhammadan and one Muhammadan, or 5 seats in the Federal Council of State. But that did not come to pass. As you might be aware, Sir, Orissa and Sind were created into two separate Provinces in 1936. Whereas Sind with 382 voters was given a permanent seat on the Council of State. Orissa was given a seat only on alternate Councils of State. Berar has also been allotted one separate seat and the number of voters in that constituency is 402. Whereas in Orissa, though the number of voters is 422 and it will double including ceded districts from Madras it has only been allotted one seat in the Council of State by rotation. Assam, with a voting strength of 304, also gets a seat in the Council of State. There is also for Assam one Muhammadan seat alternately for a voting strength of 71. In the Rules under the Constitution Act, it is provided that the Governor General in Council can raise the number of seats to any number. If he is pleased to do so, the seats thus obtained may be redistributed among the provinces so that no province is debarred from getting its due share of representation in this Council. Or alternatively, if it is not possible, I believe it will be

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possible and easy even now to split the plural member constituencies, as the Governor General has done in the previous case, in such a manner that Orissa might get a permanent representation in this Council.

Sir, I move.

THE HON. THE PRESIDENT : Discussion will now proceed both on the Resolution and the amendment simultaneously.

THE HON. SIR MAHOMED USMAN (Leader of the House) : Sir, I should like at an early stage to define the position of Government. My Hon. friend Mr. Motilal in his usual eloquent manner, in accusing the Government, said that nothing has been done, although so many world events have happened after the Resolution on the same subject which he moved last year. He said Germany has been defeated, Japan has collapsed, but still we continue in the same manner. But he has forgotten one important event, that is, that Congress and the Muslim League have not come together. If that had happened, things would have been quite different today.

THE HON. MR. G. S. MOTILAL : Can you not change it ?

THE HON. SIR MAHOMED USMAN : It is in your hands. That is what I wanted to tell you. You had the opportunity, but you did not come together.

THE HON. MR. G. S. MOTILAL : What has that got to do with raising the number of elected members ?

THE HON. THE PRESIDENT : When the Leader of the House is in possession of the House and he is addressing, you should not interfere. Whatever you have to say you should say when it is your turn to speak.

THE HON. MR. M. THIRUMALA ROW : Is it relevant to talk about the Congress and the Muslim League with regard to the raising of the number of elected members. I want a ruling from you. It is quite irrelevant.

THE HON. THE PRESIDENT : It is perfectly relevant to the discussion to bring out that point. It is not right to bring it up in the original Resolution.

THE HON. SIR MAHOMED USMAN : All that I wanted to say was that if the Congress and the Muslim League had come together, there would have been quite a different state of affairs. I do not know why my Hon. friend should get so much flurried over the matter.

Turning to the Resolution, I doubt if my Hon. friend is really serious in moving this Resolution. The question raised has been discussed at some length just a year ago on a Resolution moved by the same Hon. Member. Government then went as far as it was possible in the circumstances to go and have secured an increase in the number of elected members by one. I then gave reasons why it was not possible to go further. Increasing the number of elected members is not so simple as my Hon. friend seems to imagine. The existing constituencies have been devised after a great deal of deliberation and careful weighing of the respective, and often conflicting, claims not only of different territorial divisions but also of different communities and interests. If the number of elected members were to be increased as recommended in this Resolution, the question will necessarily arise as to how the additional seats should be distributed. This in its turn will involve a re-examination of the whole question of the distribution of elected seats and the delimitation of constituencies. My Hon. friend has not even made an attempt to suggest how this intricate question should be solved. Does he suggest that the additional seats proposed to be created should be allotted at the sweet will and pleasure of Government to any of the existing constituencies or to new constituencies to be created for the purpose ? If my Hon. friend cares to inquire into the history of the creation and delimitation of the existing constituencies,

he will realise how complex and difficult the problem is. It is on the face of it out of the question to secure a fair and equitable distribution of the elected seats proposed to be created before the next elections which, as the Hon. Members are aware, will shortly take place. And yet my Hon. friend has the boldness to ask this Hon. House to recommend that if the impossible is not achieved in the next few months, this Chamber should be abolished.

Apart from these considerations, it is, if I may say so, rather odd that this relatively minor issue should be raised at a time when the entire question of the future constitution of India is in the melting pot. What should be the constitution of the Chamber indeed whether this Chamber should be retained or abolished is but a part—and a comparatively minor part—of the question which now faces India.

Turning to the amendment moved by the Hon. Mr. N. K. Das, all I need say is that it serves to illustrate the difficulties to which I have just referred. My Hon. friend wants, in the first place, that the plural member constituencies be split up and, in the second place, that the seats be so redistributed that each Province gets its *due* share. As for the first part, the plural member constituencies were formed in deference to the wishes of the people concerned and the persons constituting the electorates may conceivably have different views on the question of splitting up the constituency. As for the second part, the whole difficulty of the situation is summed up in the words "due share". How can the due share of each Province be determined without undertaking an elaborate inquiry into the claims of various conflicting interests as was done before the present constituencies were formed? We are thus brought back to the impossibility of accomplishing what my Hon. friend the Mover of the Resolution wants peremptorily to be accomplished before the next elections to the Council of State.

I therefore oppose the Resolution and its amendment.

THE HON. MR. M. THIRUMALA ROW : On a point of information. I request some enlightenment to be thrown on the other alternative of abolishing this Chamber. Government have not said anything about it.

THE HON. SIR MAHOMED USMAN : In the course of my speech I said "My Hon. friend has the boldness to ask this Hon. House to recommend that if the impossible is not achieved in the next few months, this Chamber should be abolished". I have already dealt with the point.

THE HON. SIR RAMUNNI MENON (Nominated Non-Official) : I do not think I have very much to add to what the Leader of the House has said on this subject because all the points that I wished to traverse have already been covered by him to a very large extent. I would like to specially mention the inopportune moment that has been proposed for amending the constitution of the Council in this Motion; and secondly the method by which the Mover has sought to bring about the revision of the Act, namely the method of piecemeal legislation which at all times is open to very grave criticism. The third point to which I wish to refer relates to the substance of the Motion and the amendment. The question has been raised that the multiple-member constituencies should be split up. Most Members seem to have overlooked the fact that the principle underlying the framing of multiple-member constituencies is the safeguarding of the interests of minorities. It is only through a plural-member constituency that any considerable minority has a fair chance of being represented in the legislature. If that principle is given up as it would be under the amendment, it will be an extremely retrograde step. I therefore hope that taking all these points into consideration both the motion and the amendment will be rejected. I have nothing more to say.

THE HON. MR. M. N. DALAL (Bombay : Non-Muhammadan) : Both sides of the House—the elected Members and the nominated Members—have put forward their claims with well martilled facts but before this Resolution goes to the vote I should like to make my attitude clear. As an elected Member I am in entire agreement with the first part of Mr. Motilal's Resolution that the number of elected

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Members should be increased but I am not in agreement with the second part of this Resolution as worded which says that failing to increase the number of elected Members to 40 the House should be abolished.

Mr. President, it is not often realised that the Council of State has a coequal authority—and powers of supervision over the administration with the Legislative Assembly.

AN HON. MEMBER: Really!

THE HON. MR. M. N. DALAL: Of course it has. We are going to have, Sir, in the course of a few months a Constituent Assembly consisting only of elected representatives of the people, wherein we can redress our just grievances in a statesmanlike spirit. At the present moment, the whole world in general, and India in particular, is passing through a critical period of renaissance unprecedented in the history of the world. It is at such supreme moments that the fate of nations is made and the representatives of the people play not an unimportant part in shaping the destiny of their country. Therefore Sir, if at this stage it is the intention of the Hon. the Mover of the Resolution to abolish the House failing to increase the number of elected Members, all I can say is that he is wanting to kill the goose that lays the golden eggs.

Coming, Sir, to the amendments of my Hon. friend Mr. N. K. Das, I am in agreement with his amendments. They are consequential, except amendment (iii) which raises a question of substantial issue. The Hon. the Mover of the amendment I think—if I read aright the wording of the amendment—does not want to include the words, or rather he wants to omit the words “before the next general election”. He wants after the words “raised to forty” to be inserted:—

“and the plural member constituencies be so split up and the seats redistributed among provinces in such a manner so that each separate province gets its due share of representation”.

Therefore, he suggests the omission of the words “before the next general election,” thereby, Sir, limiting the scope of his Resolution to an indefinite period. Again, he suggests in amendment (iii) the splitting up of plural member constituencies. Now, how is this possible for a plural-member constituency like Bombay Presidency (Non-Muhammadan) I cannot foresee. The proportion of voters in Bombay city to Bombay districts at the last general election was in the ratio of 1:2; today it is in the ratio of 3:2. Sir, with a varying number of voters in different zones at different times I think it is not possible to allocate a fair distribution of seats. Therefore, Sir, I suggest we rather stick on to our present system of plural-member constituencies.

THE HON. MR. M. THIRUMALA ROW (Madras: Non-Muhammadan): Sir, I rise to support this Resolution with a greater emphasis on the latter part of it than on the former part, because I am sure the Government will never give up a weapon which it has very effectively used all these years to entrench itself and carry on its reactionary policies. Now, we are facing an election and the mouth-piece of the Government, the Leader of the House—of course, he has no alternative but to carry out the policy of the Government—has refused to increase the elected element of this House. I think with 26 nominated Members the Government has been accustomed to enjoy a sort of advantage or weightage and power which it cannot easily give up by increasing the elected element. I know what havoc Government has been playing with the elected members of this House and one should be ashamed to go over the past record of this House. When the whole country has been in trouble and tribulation this House has been made the handmaid of reaction. Last year I told you that the earlier such a house goes the better for this country and Britain. Let them not pose that they are carrying a sort of elected parliamentary procedure in this country by merely showing a facade and carrying on their usual autocratic methods behind it. I can understand that a Constituent Assembly is coming into existence. They are going to revise the constitution of this country but who can say what is going to happen with regard to the deep political divisions that have been created in this country—thanks to the British Government—and how long it will take for a Constituent Assembly first to come in to being and, after it has come

into existence how long it will take to shape and hammer out a constitution that is acceptable to all the sections of the people. It is impossible to say or predict how long it will take. There are countries under the aegis of the British Empire which have taken 10 or 12 years and for certain sections to come into operation 16 years before their constitutions took final shape and therefore once this election takes place some time this year—either in August or September or November; whatever that may be—this House will have a life of 5 years. What my Hon. friend Mr. G. S. Motilal wants is to put an end to this sorry, bitter spectacle when not a single non-official motion has been carried in this House for the last fifteen years.

THE HON. SIR DAVID DEVADOSS : It has been carried. You do not know.

THE HON. MR. M. THIRUMALA ROW : It has been carried only once—by a snatch vote. That has been the only one occasion which was referred to by my Hon. friend Mr. Hossain Imam in discussions last year. Mr. Hossain Imam referred to it last year; he said that in the lifetime of this House only one motion has been accepted by the non-officials. That is a most shameful record for this House, and it deserves condemnation, and it should go. I will just refer to a small item of news published by the Free Press News Agency to show what respect the people outside have for this House. The letter that has been circulated asking for the postponement of elections to this House has been characterised as a petition submitted by members. It is called a memorial. I will not quote the message, I will just refer to it. The news agency says that the Upper House counts for very little in the country. When the Government cares very little for this House, why should the people care for this House? There is a story. A husband was chiding his wife every day and calling her stupid, a dunce, a rascal. A beggar who came for alms heard this, and he too started abusing the lady. Because the husband was abusing her, the beggar who came for alms also started abusing her. He called her stupid and a dunce if she did not give him alms. Is it surprising that the people outside have no regard for this House when this Government itself has no regard for its own creation?

THE HON. SIR MAHOMED USMAN : I must correct this impression. It is not correct to say that Government have no regard for this House. Government have the greatest respect for this House.

THE HON. MR. M. THIRUMALA ROW : I know it is empty respect which does not mean anything. It is not inherent. Ordinary courtesies like saying good morning and shaking hands cannot be called regard for this House or respect of the opinions which are expressed in this House. Show me one non-official Resolution which has been accepted by the Government and acted upon. Give me facts and figures and prove that the Government have regard for this House and for the opinions expressed here. However well intentioned, however good the Resolution may be, it is never accepted by the Government. That is the sorry spectacle that we see today in this House. The dice is loaded to such an extent that you are obsessed with your own power and never care for the opinion of this House, however moderately and reasonably presented by my Hon. friends from the Progressive Party. We are considered as political renegades who talk language which is not respectable. But what about people who command your respect? Why should you not publish the report which was submitted by my Hon. friend Pandit Kunzru on conditions in Malaya? My Hon. friend Pandit Kunzru is a *persona grata* with the Government. Today I put a question, but I had no reply. What has happened to the Bretton Woods Conference?

THE HON. MR. V. V. KALIKAR : I object to that. What does the Hon. Member mean by saying that Pandit Kunzru is a *persona grata* with the Government,

THE HON. MR. M. THIRUMALA ROW : The Government of India is an impersonal body which respects some persons, and it respects Pandit Kunzru.

THE HON. THE PRESIDENT : It is too much a personal body. It is not an impersonal body.

THE HON. MR. M. THIRUMALA ROW : I have not got as much experience as you have got ; therefore I accept your verdict on it. Still, I never meant any disrespect to the Hon. Pandit Kunzru. When a person like Pandit Kunzru is respected by Government, where is the harm in it? The Hon. Member for Commonwealth Relations told us that he is one of the respected members. I respect him. I never meant any disrespect to him. My Hon. friend Mr. Kalikar may rest assured about that.

What I mean to say is this. Bretton Woods—the financial stability of this country, the 1,500 crores of sterling balances that have been accumulated to the credit of this country in England—that matter and other matters are being discussed in the other House. The Government of India have not got the courtesy even to consult this House. I bring this to your notice, Mr. President, who are the custodian and the guardian of the rights and privileges of this House. I wanted to move an adjournment motion in fact, but I do not want to make adjournment motions cheap. I take this opportunity to draw attention to this matter. When the whole of Bombay was afire, when riotings and shootings were taking place, I saw so many gilded knights from Bombay who have established a huge stake in Bombay, but none of them whether elected or nominated, have got the opportunity—I do not blame them—have got the opportunity of raising a discussion on the happenings in Bombay in this House. We want to meet once in a blue moon. We work five hours a day, and we get five days' interval, one day's rest for every hour of work. How can this House command respect, I want to know? The elected members are also tired. They were elected nine years ago. Out of 32 members, we were hardly able to present a strength of more than 15 members for any adjournment motion or in any voting on a non-official resolution. Interest is flagging. Therefore, give an opportunity to more vigorous people who will try and make use of this House, instead of having, as my Hon. friend Mr. Dalal said, golden eggs laid in this House. I do not know to whom he was referring—perhaps he is a golden egg of this House.

What I want to suggest is this. Why are you afraid of the elected element? You are already accustomed, in the other House, to having to do with elected members and facing them. Have it here also. There is no substance in the argument trotted out by the Hon. the Leader of the House. He put forward all sorts of difficulties—allocating seats, and so on. He wants another Lothian Committee. Certainly the voting strength has increased. A place like Orissa has become a separate province, but it is without representation. Assam has got representation only by rotation. Give them full representation. In Madras, for instance, the voting strength has increased from 2,500 to 5,000. Let one more seat be given to Madras. I can put forward constructive proposals from this side of the House if you are serious about it. But you do not want it. Therefore, I say, let this House be done away with before the Parliamentary Commission comes here. We are prepared to pass a sentence of hanging on ourselves. Why are you worried about it? But the hangman's noose is in your hands, therefore we have to seek your help. The sooner you end this reactionary body, the better for you and for all of us.

THE HON. MR. SURPUT SINGH (West Bengal : Non-Muhammadan) : Sir, in supporting the Resolution moved by my Hon. friend Mr. Govindlal Motilal, I must say that his Resolution has not come a bit too soon. I am glad to notice that the real composition of the House reacting so long upon us as members has come to be realised now. Besides serving as a brake upon the achievements of the other House, we find that our usefulness otherwise is greatly handicapped by the very composition of the House itself. Our constituencies undoubtedly expect us to do and achieve something by ourselves in the popular cause. But I must say that whenever we try to do anything that way we get discomfited. A House where there are 26 nominated members, official and non-official, and 32 elected members all told, with perforce occasional absentees among them, cannot be expected to achieve anything by themselves from the popular point of view. There are the nominated blocs mounting guard well and firmly at all times and suffering not any occasion to go without frustrating the elected members trying to bring about any Motion, Resolution, Bill, or anything that may redound to popular credit. The

result has always been that the elected members have ever lived in an atmosphere of unreality and lack of spirit ; while by established convention of the House, the Hon. Members of the nominated bloc have gone on resisting measures going against the Government. We may be here as Senators, but ours is not a deliberative body. It is a legislative body—a part and parcel of the Central Legislature and a portion of the democratic side of the Government. But the pity is that we can never go beyond our present limits in trying to achieve anything democratically. The unreality and unresponsiveness prevailing here have made us quite useless in a way. I would, therefore, move for a change for the better by way of a popular constitution of the House by bringing in more elected members. With these words, Sir, I beg to support the Resolution.

THE HON. KHAN BAHADUR KERAMAT ALI (Assam : Muhammadan) : Sir, I beg to support this Resolution, because, I think, Sir, that an injustice has been done to Assam. It may be that when Assam was called upon to elect a member by rotation, the number of voters was very small. But now, if the electoral rolls are revised, it will be found that the number of voters has increased tremendously and therefore I think that each of the Assam Non-Muhammadan constituency and the Assam Muhammadan constituency should have a separate seat. I suggest that the number of seats for Assam is increased to two. With these words, Sir, I support the Resolution.

THE HON. MR. G. S. MOTILAL : Sir, I did not go into very great detail when moving this Resolution because I had moved another Resolution in the last session and had gone into the matter in some detail. The charge of the Hon. the Leader of the House against me is that I went into the traditional way of accusing the Government for all their sins of omission and commission and that I did not acknowledge what Government had done. I plead guilty to it. But I also acknowledge the fact that the Government did exclude Sind from the province of Bombay, as was suggested in my Resolution, and gave some seats to Sind. One stock argument now with Government is that if the Muslim League and the Congress come to an agreement, they can get straightaway anything they want. On the last occasion, nothing would have been clearer. I do not know how Government are unaware of it. My Hon. friend Mr. Hossain Imam gave his wholehearted support to that Resolution which I then moved and which was substantially identical with the Resolution I am moving today except the part relating to abolition. Here, the Congress, the Muslim Leaguer, the non-attached members and the Progressive Party are all agreed but Government want to plead the kind of argument which holds no water and which has already been shattered. I do not know why the Leader of the House has not taken note of it —

THE HON. SIR MAHOMED USMAN : May I just explain, Sir ? What I meant to say was that if the Congress and the Muslim League had only come together in the Simla Conference, things would have been quite different today. The reason why I am not prepared to accept it is that very soon, there will be another attempt made to bring both the parties together for changing the constitution.

THE HON. SIR SHANTIDAS ASKURAN (Bombay : Non-Mohammadan) : May I know if the Hon. the Leader of the House wants us to believe that on questions on which the Congress and the Muslim League are united and are of one opinion, Government is prepared to respect it ?

THE HON. SIR MAHOMED USMAN : I did not say that. What I said was that in the Simla Conference, if the Congress and the Muslim League had only come together, things would have been quite different today.

THE HON. SIR SHANTIDAS ASKURAN : Why should not the Government accept, if they come together unanimously ?

THE HON. SIR MAHOMED USMAN : I have already explained it.

THE HON. MR. G. S. MOTILAL: Sir, this interjection has not improved matters. On larger issues, my Hon. friend says that if they come to an agreement they are prepared to implement it. That will be tested. But the smaller issue, on which they are all agreed, he says, is not to be accepted. What he said comes to this, that on larger issues, on very fundamental issues, if the Congress and the Muslim League come to an agreement, they will respect it and implement their decisions. But on a small and minor issue—he rightly characterised this as a minor issue—they were not going to respect the wishes of the Congress and the Muslim League. How then can you convince any one in the country that you are prepared to go by the wishes of those two main Parties in the country on fundamental and very large issues? This is the way to make a beginning. Where they are agreed, accept it immediately here and now and say, “We are prepared to go ahead as far as you agreed”. Sir, one difficulty was raised last year. The Hon. Leader of the House then said: “We are so much engrossed in the war and we are not so much concerned with the House or with the elections”. Now that plea is not available to them. But the plea now trotted out is this. There are difficulties in distribution of seats. Am I to understand that it is such a difficulty that Government find themselves unable to solve that difficulty? You have already got a certain proportion. That proportion applies. No one says that proportion is to be disturbed. You can go ahead with the same proportion. Sir, I do not wish to be harsh, but I must say this, that a Government which is unable to solve such a small and minor difficulty—it is hardly fair for them to keep on sticking to their power and authority which they now enjoy. The best thing is to quit —

THE HON. SIR MAHOMED USMAN: You come together. We are prepared to quit.

THE HON. MR. G. S. MOTILAL: I want you to make a very serious beginning, quite a small beginning, here and now. If there are many Indians in the Government and if we cannot have even this small reform, which will make me and every Member of this House have some respectable look, if you cannot do even that, then why go on and why not let us occupy your chairs? That is going to come. It is bound to come. The difficulty is only imaginary, not real or substantial. I would remind him of a phrase which we hear used in this House and which has been recently used by a person occupying a very high position in this country. It is this: “If you have a will, there is a way”. If there is a will, this could be accepted. If with so many Indian Members on the Government this small reform cannot be carried out, that is a very sad commentary on the existing situation. Sir, the splitting up of constituencies was referred to by some Members. I had also urged it in the last session. In some provinces there are plural constituencies and they cover the whole of the province. Splitting them up will be desirable. I am in agreement with that part of the amendment of my Hon. friend Mr. N. K. Das—Part (iii)—which urges that the plural member constituencies be so split up and the seats redistributed among provinces in such a manner as each separate province gets its due share of representation.

I have not the least objection to this part of the amendment.

THE HON. THE PRESIDENT: That cannot be done now. The amendment must be accepted as a whole or not at all, because the amendment has not been moved separately.

THE HON. MR. G. S. MOTILAL: The amendment is in several parts.

THE HON. THE PRESIDENT: It was optional on the part of the Mover to have moved each part separately.

THE HON. MR. G. S. MOTILAL: I take it that he did so under your direction.

THE HON. THE PRESIDENT: You might ask the Hon. Member if he is willing to give up his amendment altogether. He should give up his whole amendment.

If the Hon. Member is willing, I will allow him to withdraw the amendment with the permission of the House.

THE HON. MR. N. K. DAS : In fact, Sir, at the beginning I wanted to move only part (iii) and drop the rest. But you did not permit me to do so. All I wanted to say was that Orissa as a separate province with nearly 10 million population should have a representation.

THE HON. THE PRESIDENT : You cannot make a speech a second time. Are you prepared to abandon your amendment ?

THE HON. MR. N. K. DAS : Under the circumstances, I withdraw my amendment.

THE HON. SIR N. GOPALASWAMI AYYANGAR : Can he do so without the leave of the House ?

THE HON. THE PRESIDENT : I am just putting it to the House. Is it your pleasure that leave be given to the Hon. Member to withdraw his amendment ? (*Hon. Members :* Yes.)

The amendment was, by leave of the Council, withdrawn.

THE HON. MR. G. S. MOTILAL : The observation made by my Hon. friend from Bombay is a very relevant one. But I do not see the difficulty which he has raised. I want to be quite fair. The plural constituencies have one object—to secure representation for minorities. That is the advantage of the plural member constituencies. I do not want to glide over that aspect.

THE HON. MR. M. N. DALAL : How does that secure representation to minority communities ? Actually the number of voters of the Parsi community would be about 600 out of a total electorate of 5,000. In Bombay city only all the Parsi voters are concentrated. The statement made by the Hon. Member is not correct.

THE HON. THE PRESIDENT : The Hon. Member cannot make a speech a second time.

THE HON. MR. G. S. MOTILAL : I shall be glad to explain the position to my Hono. friend. If he will refer to the arguments and discussions and will consult some persons with more experience in this matter, he will be satisfied that plural member constituencies were constituted with the object of helping the minorities and they do help. But if it is his view that they do not help, then there is all the greater reason that the constituencies should be split up. The constituencies as they are are very inconvenient. The whole province is one constituency and three members have to seek election. I do not desire that the minorities should be prejudiced. There are other ways of providing for the interests of minorities. I have definite views on that subject. If they are provided and Government are also satisfied and the Minorities are also satisfied with regard to it, I shall not have the least objection. But where the question of minorities does not exist, there I am in agreement with the view advanced that these plural member constituencies should be split up.

The war has gone. In the last Session, the Hon. Member pleaded war. Now the war is no more an excuse. I think it would be very wise on the part of the Government to accept this Resolution and before the Constituent Assembly comes make it feel that a Chamber also—

THE HON. THE PRESIDENT : I wish to draw your attention to the fact that in order to give effect to the Resolution, it will have to go to His Majesty's Government and they will have to send it to the House of Commons to amend the Government of India Act. Have you got the time to do so before the Constituent Assembly meets ?

THE HON. MR. G. S. MOTILAL : There is plenty of time. I am prepared to accept if Government will undertake to do it within six months.

THE HON. THE PRESIDENT : You will be delaying reforms in India.

THE HON. MR. G. S. MOTILAL : It does not require an amendment of the Act. That was my contention and I am sure you have appreciated that. What is required is only change of the rules. I say, Sir, it will be wise on the part of the Government, if they want the Constituent Assembly to take a favourable view of a Second Chamber, to raise the number not to 40 but to 50, and let it understand that a Second Chamber has also some utility. I am in touch with public opinion in the country. There is a great deal of prejudice against this type of House and even a good institution will suffer. I say, Sir, that Government should accept the Resolution.

THE HON. SIR MAHOMED USMAN : My difficulty in going before His Majesty's Government for an amendment of the Government of India Act is that they will say "We are going there next month. We are tackling the bigger question. What is the meaning of your coming for small things?"

THE HON. MR. G. S. MOTILAL : You are going to have elections. This House is very unrepresentative as it stands. I am sure the present Government, His Majesty's Government, will be glad to accord their sanction immediately you approach them.

THE HON. SIR MAHOMED USMAN : I do not think so.

THE HON. PANDIT HIRDAY NATH KUNZRU (United Provinces Northern Non-Muhammadan) : May I make a suggestion to the Hon. the Leader of the House? I understand he finds it difficult to make a suggestion to His Majesty's Government which would involve an increase in the number of constituencies. If he is unwilling to do that, he can at any rate suggest to the Governor General in Council that the number of nominated members might be reduced. Their number is at present 26. That can be cut down to 16 without any reference to any external authority. No change in the Government of India Act is needed. No reference to His Majesty's Government is required. All that you have to do is to make up your mind to reduce the number of people whose only business is to sit behind you and vote as you order them to.

THE HON. SIR MAHOMED USMAN : That suggestion is not in the Resolution. All that I wish to say is this. We all know how sincere His Majesty's Government are. Three of the Cabinet Ministers are coming next month in order to solve the constitutional problem. That being the case, there is no point in taking up this question now.

THE HON. PANDIT HIRDAY NATH KUNZRU : How does this conflict with the solution of the constitutional problem?

THE HON. THE PRESIDENT : Resolution moved :—

"This Council recommends to the Governor General in Council that unless the relevant rules are amended and the number of elected members in this Council raised to forty, before the next general election, His Majesty's Government be approached to abolish this Chamber."

Question put : the Council divided :

AYES—15

Aakuran, Hon. Sir Shantidas.
Ayyangar, Hon. Sir Gopalaswami.
Das, Hon. Mr. N. K.
Das, Hon. Rai Bahadur Satyendra Kumar.
Kaliker, Hon. Mr. V. V.
Kareeshwar Singh of Darbhanga, Hon. Maharajadhiraja, Sir.
Keramat Ali, Hon. Khan Bahadur.
Kunzru, Hon. Pandit Hirday Nath.

Mitha, Hon. Sir Suleman Cassum Haji.
Motilal, Hon. Mr. G. S.
Muhammad Hussain, Hon. Khan Bahadur Mian Ali Baksh.
Row, Hon. Mr. Thirumala.
Roy Chowdhury, Hon. Mr. Susil Kumar.
Rup Chand, Flt.-Lieut. the Hon.
Surput Singh, Hon. Mr.

Assadulla Khan Raisani, Hon. Sardar Bahadur Nawab.	Khare, Hon. Dr. N. B.
Charanjit Singh, Hon. Raja.	Khurshid Ali Khan, Hon. Nawabzada.
Chinoy, Hon. Sir Rahimtoola.	Lal, Hon. Mr. Shavax A.
Das, Hon. Mr. M. L.	Mahomed Usman, Hon. Sir.
Devados, Hon. Sir David.	Menon, Hon. Sir Ramunni.
Ghosal, Hon. Sir Josna.	Mukherjee, Hon. Sir Satya Charan.
Griffin, Hon. Sir Arthur.	Porter, Hon. Mr. A. E.
Hissamuddin Bahadur, Brig. the Hon. Sir.	Prior, Hon. Mr. H. C.
Hutton, Lt.-Genl. Hon. Sir Thomas.	Sobha Singh, Hon. Sir
Jones, Hon. Sir Cyril.	Sukthankar, Hon. Mr. Y. N.
	Yeatts, Hon. Mr. M. W. M.

The Motion was negatived.

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

The Council re-assembled after Lunch at Half Past Two of the Clock, the Hon. the President in the Chair.

RESOLUTION *RE* FORMATION OF TELEGU-SPEAKING AND TAMIL SPEAKING PROVINCES

THE HON. MR. M. THIRUMALA ROW (Madras : Non-Muhammadan) : Mr. President, I move :—

“ This Council recommends to the Governor General in Council to urge upon His Majesty's Government to effect immediately by an Order in Council the separation of and constitution into two separate provinces the Telugu-speaking and the Tamil-speaking contiguous areas of the Madras Presidency in order to satisfy the administrative and cultural needs of the two areas, as recently announced by Sir N. Strathie, First Adviser to the Governor of Madras ”.

Can I move the amendment also side by side and deal with it along with the Resolution ?

THE HON. THE PRESIDENT : I would inform the Hon. Member that Standing Order 58 bars the amendment. Probably the Hon. Member is not aware of it. The Resolution must contain one substantial issue. The issue brought forward before the House by this Resolution is the formation of Telugu-speaking and Tamil-speaking provinces. If the Hon. Member brings in the issue of Kannada-speaking and Malayalam-speaking provinces, as he wishes to do by his amendment, it becomes substantially a different issue. I draw the Hon. Member's attention to clause (a) of Standing Order 58.

THE HON. MR. M. THIRUMALA ROW : But when the amendment was circulated, it had passed through all the formalities of your permission. I am caught unawares.

THE HON. THE PRESIDENT : I can understand the Hon. Member's position. Standing Order 58 provides :—

“ Subject to the restrictions contained in the rules and to the provisions of these standing orders any member may move a resolution relating to a matter of general public interest :

Provided that no resolution shall be admissible which does not comply with the following conditions, namely :—

(a) it shall be clearly and precisely expressed and shall raise substantially one definite issue ; ”
One definite issue. The Hon. Member's amendment raises a different issue. I would point out to the Hon. Member that there are other non-official days, and if he gives notice of a Resolution on the subject dealt with in his present amendment, I will admit it. It will then come in as a separate Resolution for discussion. This Resolution will not bar it.

THE HON. MR. M. THIRUMALA ROW : This ruling comes as a bolt from the blue to me, because when the amendment was circulated I took it for granted that you admitted it.

THE HON. THE PRESIDENT : It was circulated by the office. But when it comes before the House, it is for me to see whether it is in order or not, and I give my ruling accordingly.

THE HON. MR. M. THIRUMALA ROW : Then, while I place the proposition substantially before the House in the terms of the Resolution, I hope you will permit me to deal with the merits of the other provinces also which form part and parcel of the Madras Presidency.

THE HON. THE PRESIDENT : He may deal with them very casually but briefly, because, as I said before you will get an opportunity of discussing the matter on a separate Resolution if you frame one.

THE HON. MR. M. THIRUMALA ROW : I do not want to be misunderstood by my friends from Karnatak and Kerala. Therefore, by way of explanation, I will mention those provinces also.

Sir, I move this Resolution, not with much hope that it will be passed by a majority vote in this House.

THE HON. THE PRESIDENT : Then why is the Hon. Member taking up the matter ?

THE HON. MR. M. THIRUMALA ROW : This is not a matter of mere academic interest either for this side, either for the mover and supporters of this Resolution or for the Government on the other side. Matters have advanced so far that the picture of Indian constitutional development is going to be re-aligned and I feel that this is an opportune moment when the Government of India must be asked to express their opinion on a concrete proposition like this which has got a history of more than a quarter of a century behind it. Sir, when the Simon Commission came and toured this country, the Andhras pressed their claim for the formation of a separate province of the 13 Telugu-speaking districts of the Madras Presidency. The Simon Commission has laid down certain conditions which are absolutely requisite for the formation of a separate province, and I shall, with your permission, read out from the report of the Simon Commission the conditions laid down by them and examine whether those conditions are satisfied by the claimants for the Andhra Province—

“ If those who speak the same language form a compact and self-contained area, so situated and endowed as to be able to support its existence as a separate province, there is no doubt that the use of a common speech is a strong and natural basis for provincial individuality. But it is not the only test ; race, religion, economic interest, geographical continuity, a due balance between country and town and between coast line and interior may all be relevant factors. Most important of all perhaps for practical purposes is the largest possible measure of general agreement on the changes proposed, both on the side of the area that is gaining and on the side of the area that is losing territory.”

After having gone through the volume of opinion behind this move, the Simon Commission further said :—

“ With the movement for linguistic amalgamation, we shall have occasion to deal elsewhere. The demand for the formation of an Andhra or Telegu Province, which was put forward 17 years ago at a Conference of Telegu-speaking districts, has been persistent for many years and has now become an important political issue.”

It has on two occasions, in recent years, become the subject of formal debate in the Madras Legislature which has, by fairly large majorities, endorsed the proposal for the constitution of a separate Andhra province.

Sir in 1927 and 1928, consecutively, the Madras Legislative Council, under the former regime, i.e., under the 1918 Constitution, passed by an overwhelming majority a resolution in favour of forming the Telegu-speaking areas into a separate Province. Again, in 1938, under the stewardship of the Congress Ministry, the Madras Legislature, functioning

under the new Act of 1935, passed a unanimous resolution in favour of the formation of this Province. This resolution is worded thus :—

“ This Assembly recommends to the Government that the view of this Chamber of the Legislature of Madras be communicated under section 290 of the Government of India Act 1935, to His Majesty in Council that steps may be taken as early as possible for the constitution of separate Provinces so as to place under separate autonomous Provincial administrations the areas wherein the language predominantly spoken is respectively Tamil, Telugu, Kannada and Malayalam ”.

This Resolution was moved by a veteran leader of public opinion Sri Konda Venkatappayya, who was acting President of the Congress for some time, and the resolution was accepted on behalf of the Madras Government by the then Premier, Mr. C. Rajagopalachari, who made an elaborate speech supporting the claim of the Andhras, the Tamilians, the Kannadas and the Malayalees for recognition of separate administrative existence. But the immediate issue, he said, clearly is that there was a possibility of forming the Tamil and Telugu Provinces immediately because they constituted a contiguous whole which are administratively sufficient to form separate Provinces.

THE HON. THE PRESIDENT : When was that Resolution accepted ?

THE HON. MR. M. THIRUMALA ROW : 1938, before the Congress Ministries went out of office. Sir, their Cabinet accepted it, and it was the subject of discussion—if newspaper reports of those days are consulted—in Madras and the Governor of Madras went so far as to recommend it in a letter to the Secretary of State, and Sir S. Radhakrishnan, who was President of the Andhra Mahasabha, supported this Resolution. When he was in England he broached this topic to Lord Zetland, who was the then Secretary of State for India. Matters had come to such a state—

THE HON. THE PRESIDENT : What action did His Majesty's Government take on that ?

THE HON. MR. M. THIRUMALA ROW : This Resolution was passed in March, 1938 and when the subject was in correspondence, the Congress Governments went out of office in October, 1939. The Congress went into wilderness and there was nobody to take it up further until now, when there is a talk of Congress Ministries coming into office.

Sir, with regard to the conditions laid down by the Simon Commission, I want to give some facts and figures. The area concerned is about 67,500 square miles. The population is 17,700,000. This area is larger than C.P., Assam, the N.W.F.P., Sind or Orissa, and the population also is larger. According to the latest figures, the revenue of the Madras Government has gone up by leaps and bounds. It has the largest income in the whole of India. The revenue of the Madras Government today is about Rs. 40 crores. Out of this, nearly Rs. 19 crores of revenue is being contributed by the Telugu districts. The contiguous coast line extends over a distance of 650 miles, from Berhampore down to Madras. Country and town is very well balanced, because, out of the 82 or 83 municipalities in the Province, Andhra has got about 40 municipalities and there are nearly 25,000 villages in these 13 Andhra Districts. Coastline, balance of town and village, population, contiguity of area and the income that is being given to the Madras Province are all sufficient arguments in favour of forming a separate Province on a linguistic basis, which has been conceded by the Simon Commission. The whole realignment of Provinces must be effected from this stand point. India is a conglomeration of communities, languages and races or sub-races that are carved out into incongruous Provinces. If you see the history of British rule, they have rolled up one portion after another in their arm pit as they went on subduing this country. There was no rationale, there was no principle, there was no administrative convenience, when they carved out the vast area of the whole country into the present Provinces—

THE HON. THE PRESIDENT : You don't mean to say it was intentionally done ?

THE HON. MR. M. THIRUMALA ROW : It was never intentionally done. The British never expected it, but luck has come their way and they have got hold of the whole country. Bombay has got three languages, Maharati, Gujerati and Canarese. Also Tulu and Konkani. The C.P. has got two languages, Hindustani and Maharati. The previous Bengal Province had Bihari and Bengalee. Madras has got 4 languages, Telugu, Tamil, Malayalee and Canarese. These are the main languages. Of course there is Tulu and others which have no script of their own. The administrative inconvenience is so great, Sir, that in a Legislative Assembly of 215 Members, nearly 60 to 70 members do not follow what the other side of the House is speaking. If I were to be a legislator in my Province, a knowledge of English is a compulsory condition of my being a server of the public through the Legislature. In this connection I will quote a statement by Mr. Lionel Curtis, who was a constitutional Pandit and whose lead was accepted in the formulation of the last reforms. He said that "the greatest obstacle to popular Government in India is the practice of conducting public business in English. The English educated man has become an interloper, as it were, a broker between the British Government and the Uneducated Indian.

THE HON. THE PRESIDENT : The Madras Government is against you on revenue grounds.

THE HON. MR. M. THIRUMALA ROW : No, the Madras Government is not against us.

THE HON. THE PRESIDENT : You say they will lose Rs. 19 crores of revenue.

THE HON. MR. M. THIRUMALA ROW : Rs. 40 crores is the total revenue.

THE HON. THE PRESIDENT : If it is constituted a separate Province, Madras will lose Rs. 19 crores of this revenue.

THE HON. MR. M. THIRUMALA ROW : What I wish to point out is this. If a father has Rs. 75 lakhs and divides it between 4 sons, his property will diminish. The father will never allow that state of things, and let the sons have their own independence and be masters of their own household. Therefore the English-educated man has come into a peculiar position of vested interest. You should carry on work in your own Legislature in your own mother tongue. There are people who have carried on administrations, who have earned great names, who were great leaders of society and armies, even before the advent of the British in this country. They had no knowledge of English. Today there are people who manage vast properties worth crores and crores without knowing one word of English; and by putting such a great premium on knowing English we are doing a great injustice to the man in the street, to the man in the village, who contributes the major portion of your taxes. If the administration is to be understood, if the political development of the country is to go on unimpeded, the administration must be carried on in the language of the people. You cannot put an artificial premium on knowing the English language, which is known only to 8 or 10 per cent. of the population after 150 years of British rule in this country. That is the main consideration. If self-government is going to mean anything to this country, the administration must be carried on in the vernacular. Therefore the question of having a separate Province for Telugus, Tamils, and Kanarese, stands on firm ground. I do not know why the British Government showed such great eagerness to form Orissa into a province, to form the North West Frontier, with a population of 30 lakhs and with hardly an income of 40 lakhs—burdening the Central Government with a subvention of one crore of rupees—into a separate Province. Sind has been formed into a separate Province for political reasons, to have weightage for the British Government. The Telugus have not been given a separate Province because they are alleged to be cantankerous, or quarrelsome or independent. They did not catch the Simon Commission. If we had managed to send representatives before the Statutory Commission over which Lord Linlithgow presided, to say some pleasant things, we could have got our province. Now our case is strengthened beyond doubt. Nobody can stop it. No power on earth can stop it. The Simon Commission have said that if there is such an overwhelming sense of public opinion in favour

of this Province, it must be conceded. Can the Government of India and the Leader of the Government on the other side deny that there is such an unanswerable case made and such an overwhelmingly unanimous opinion in favour of a Telugu Province a Tamil Province, a Kanarese Province and a Malayalam Province? The Congress has done it; it has shown the practicability of linguistic Provinces. Lord Hardinge wanted a realignment of Provinces. Lord Hardinge had noted that Bihar should be made into a separate Province because Biharese feel that as long as they are tied to the apron strings of Bengal, Bihar can never thrive. Every little office, every little place—

THE HON. MR. SUSIL KUMAR ROY CHOWDHURY: They have taken two districts from Bengal.

THE HON. MR. M. THIRUMALA ROW: They will be given back if the case is just by the Boundary Commission for which we are asking now. Bihar was tacked on to Bengal. Today there is a quarrel going on between the Provincial Governments of Bihar and Bengal, because Bihar has passed a law of domicile. Every non-Bihari should produce a certificate of domicile before he is entitled to any office or place or public recognition under the Bihar Government. There are quarrels in C.P. as everyone knows—I know the Hon. the President who hail from the C.P. knows it too well—and ministry making and ministry disruption. All these things are centred round the two language groups—Hindi-speaking C.P. and Marathi-speaking C.P. Legitimate ambition should be encouraged but exploitation of language difference takes place. So, in Madras there is a difference of opinion among Telugus and Tamils. There is bound to be an honourable division of their respective areas under separate administrations.

THE HON. SIR DAVID DEVADOSS: Loaves and fishes.

THE HON. MR. M. THIRUMALA ROW: I may tell my friend Justice Devadoss if you take the old capital works, the great Mettur Project, the Pykhara scheme and all these projects which have converted Southern India into an industrial centre and added wealth to that area, they were established from money provided by the general revenues of the tax-payer, at the cost of the northern districts.

THE HON. THE PRESIDENT: On the same principle you would support Pakistan, I think?

THE HON. MR. M. THIRUMALA ROW: It is not Pakistan, Sir. If I do not consider that English should form the perpetual language of this country, I do not think Pakistan is the question. I want my mother tongue should thrive and that my administration should go on in my mother tongue. The Government of India Act provides that all the work of the High Courts should be in English. You put that in the statute. No other language should be used. It is outrageous that a foreign language which takes 15 or 16 years of one's life to learn should be made the vehicle of administration. It is against that I am talking. I am not talking of Pakistan. Pakistan is based on religion. I am not confusing religion and economics and nationality. Therefore please do not side-track my discussion by raising the question of Pakistan.

I was answering an interjection of my friend Sir David Devadoss. They have got all the big capital works costing 15 or 20 crores from the general capital expenditure. Today if the British Government is weak, if you lost Burma and if the French Empire loses Siam, you are starving everyone for rice. Here is the river Godavari. The Indian Adviser of the Madras Government has planned a big scheme costing 60 crores which will completely make Madras self-sufficient in the matter of rice. It will irrigate 5 districts and about a crore of acres. There is again the Machkund electric scheme costing about 8 crores. The Madras and Orissa Governments have come to an understanding. That will give electric power to a vast area of 4 districts from Vizagapatam down to Bezwada and beyond. All these schemes are in the making. The northern districts were neglected; the south has benefited at the cost of the north. I do not want to enter into details. Our case stands on a much

[Mr. M. Thirumala Row]

higher footing, on a footing of nationality, on a footing of sentiment, on administrative convenience and political integrity which will come about in a common Federation in this country. The Congress is committed to this principle. It has divided India into about 20 provinces on a linguistic basis. Our work is most efficient because we carry on our work in our vernacular. All our literature, speeches on the public platform, circulars, all reach the masses through their mother tongue. Therefore we are effective and more powerful and more influential with the masses than the foreign Government which carries on in an alien language.

The Congress has known the secret. It has incorporated in its election manifesto the division of this country on a linguistic basis. Sardar Patel presiding over the all Karnataka Unification Conference, which was opened recently in Bombay by the ex-Premier, Mr. Kher, has once more enunciated that the country requires a linguistic division if we are to contribute effectively to the administration and political development of this country. The Congress is therefore committed to this principle. All the conditions laid down by the authorities are satisfied in these four linguistic areas. The Kanarase are dismembered in four areas. They are in the South Kanara District of Madras, in Bombay, in Dharwar, Hubli, North Kanara and Belgaum Districts. They are again dismembered in Mysore State. A portion of them are also in Bellary in Madras Province. The people who are 1 crore in strength are dismembered in 5 provinces as in Orissa when Orissa was not a separate Province. Orissa was in Madras, in the Central Provinces, in Bihar and a little in Bengal. So also Kannadas are now undergoing this great difficulty. Malabar is a nation by itself. It has got Puranic existence. Their population in British India is about 40 lakhs. When Cochin with merely 15 lakhs of population and with an income of 1 crore can have a separate administration why Malabar should not have a Province of its own ?

Sir, these are the arguments in favour of the constitution of a separate Province for Malabar. Andhra area and Tamil area go separately and I see I have mentioned the name of Sir Norman Strathie in my Resolution. He is the First Advisor to the Governor of Madras. I claim to know him fairly well enough. We have been discussing many times this question. He feels that the administration of the Madras Presidency with 26 districts has become so top-heavy and cumbersome that they must have three Chief Engineers for the whole Province ; one Registrar of Co-operative Societies and two joint Registrars of Co-operative Societies to deal with the administrative problems. Now as more activities of the public life, such as food procurement and distribution pass into the hands of the Government they feel that the administration is very top-heavy, cumbersome and not efficient. Therefore, he made a public declaration at Bezwada in replying to the Municipal address that he wants the separation of the Madras Presidency into two separate units so that the separated units could be maintained with self-sufficiency and he has made the suggestion that Bezwada should be the capital of the Telugu area and Trichinopoly should be the capital of the Tamil area and Madras should remain a centrally administered Province, like Delhi, which he thinks will decide the quarrels of Tamils and telugus.

Sir, the time has come when the question has passed from the realm of mere academic discussion into one of absolute practical politics. It cannot be long resisted and I do not expect the Government to oppose it. The Provincial Government has completely supported this proposition and the whole of the people are behind it. Yesterday, the Andhra Mahasabha met at Guntur where 25,000 people were assembled and prominent people like Sir C. R. Reddi who presided were there. They passed a Resolution and told the Government that if Andhra Province is not separated in the near future they will resort to direct action. It is not a threat because it comes from a very loyal Knighted gentleman who has upheld the British under all conditions.

THE HON. THE PRESIDENT : The Hon. Member had better bring his remarks to a close.

THE HON. MR. M. THIRUMALA ROW : I am coming to a close, Sir. What I want to suggest is that I request the Government of India to bestir and see that a Boundary Commission is appointed as a preliminary to the constitutional advance of the country in the light of the talks that are going to take place. Sir, with these words, I move this Resolution.

THE HON. SIR MAHOMED USMAN (Leader of the House) : My position as regards this Resolution is the same as was stated by me in regard to the last Resolution. All that I would like to say is that the entire constitution of India is going to be placed before the constitution-making body soon and I am sure this question, along with many others, will be considered. Therefore, there is no object, I think, in Government trying to accept this Resolution at all. There is only one thing I should like to say which has been very pertinently and rightly referred to by you, Sir. According to my Hon. friend who has moved the Resolution it is a good thing—it is a virtue to divide the Madras Presidency into two divisions in order to satisfy the administrative and cultural needs of the two areas but if Mr. Jinnah says that for the administrative and cultural needs of the Mussalmans Pakistan is necessary it is a crime—a heinous crime. My Hon. friend went on saying that the Congress are committed to the policy of dividing the country on linguistic areas. The Mussalmans may well say that they have made up their minds that the country should be divided into Pakistan and Hindustan. Anyhow I shall not put the official machinery against the Resolution but shall ask my official friends to leave the Resolution to be disposed of by the non-official Members.

THE HON. SIR DAVID DEVADOSS (Nominated Non-Official) : Sir, there is a history behind this demand for the division of the Andhra Province away from the Madras Presidency. Sir, as I said in a small article, all this resolves itself into the demand for loaves and fishes. I know years ago there was a demand for separating the Andhra districts from the Madras Presidency, for the Andhras—of course I call them Telugas—felt that the Tamils were having all the appointments of Engineers, Deputy Collectors and that the other officers were from the Tamil area and when they came to the High Court as clients they found only the Tamil speaking people as the leaders of the Bar. So they set up an agitation that the Andhra Province should be separated. That was about 20 or 30 years ago. Sir, luckily for them one of their members was made a Judge of the High Court; another member became an Executive Councillor here. Then the agitation quieted down for a time. Now, Sir, again it has been mooted very strongly no doubt. Everybody feels that they must have their own Province. Sir, I am in sympathy with these people. It is no use keeping them within a Province if they want to be out of it. It is like a joint family where a junior member says "I want to be out of the family: I do not want to live with you". Well, what is the use of keeping this unwilling junior member to live in the family. It is better to divide, whether it is a big property or not does not matter. Therefore, I am in sympathy with this Resolution. My only objection is how it can be done now? The Resolution says it must be done "immediately by an Order in Council". Well that is difficult, but on the merits I think it is no use keeping these Andhra people or the Telugu-speaking people along with the Tamil-speaking people. No doubt the Province is a large one. It was not formed on any scientific basis or any basis whatsoever. As the Government at Fort St. George got a slice here and a slice there and other slices everywhere they put them under one administration. It is purely an administrative Province and not based upon anything else. Therefore, there is no harm in its being divided into separate units on linguistic basis but to say that the thing should be done now for all purposes seems to be inconsonant with reason my Hon. friends want all the proceedings in Telugu. How will that work? Supposing, the Madras High Court gives all its decisions in Telugu and the Bombay High Court in Maharathi or Konkani whatever be the language, the Calcutta High Court in Bengali and C. P. in Urdu or Hindi whatever that may be and the Lahore High Court in Punjabi well, Sir, speaking as a lawyer, I think I must know all the languages. If I am a practitioner—of course I have ceased to be now—I must know all the languages first if I am to rely in the decisions of the other High Courts. Therefore we must have a common language for India. For instance, speaking personally, without meaning anything if you, Sir, will allow

[Sir David Devadoss]

a personal allusion but for the English language I would not be here. English is the common language of India. We must have a common language for India. Whether you are going to have Hindustani or any other language, it does not matter, we must have one common language. As regards each particular province, it may have its own language for ordinary purposes, but for purposes of commerce and industry and a number of other purposes you must have a common language, and my own opinion is that English is the best, because all the important books are in English, all the scientific books are in English—(Interruption)—not because of the English people : we need not hate the language because of the English people. I say it is a language which will give us an opportunity of knowing the world, of knowing the scientific progress of the world, and so on. Therefore, we need not quarrel about that now.

What I say is that it is proper that India should be divided into a number of provinces. But on one condition. Take, for instance, Madras. Madras is divided into four territories : Tamil, Telugu, Malayalam and Kanarese. But the question is, what about the overhead charges ? My submission is that the Governor should not be paid more than Rs. 3,000 and the High Court Judges more than Rs. 1,500 and the District Magistrates more than Rs. 1,000 ; and the other public servants should be paid in the same ratio. No doubt the Civil Service would strongly object, and our own Indian friends will object, because all want high salaries, all want loaves and fishes. Why do they want Andhra separated ? They want a High Court there. If you are going to have a High Court and a dozen or so High Court Judges, how will you be able to meet the cost ? Therefore, we cannot have the present scales of pay. I am not suggesting this today. If I may mention it as a personal matter, I wrote an article two years ago which was published in Diwan Chand's " Political Information " in March or April, 1944, and in that article I advocated the same thing.

THE HON. SIR MAHOMED USMAN : But the Hon. Member did draw a salary of Rs. 4,000 as a High Court Judge for a number of years.

THE HON. SIR DAVID DEVADOSS : So the Hon. Member drawing his Rs. 6,000 and odd. But if you divide India into 50 or 60 provinces, you cannot afford to have a Governor on Rs. 10,000 with a sumptuary allowance of Rs. 1,10,000 a year. Take, for instance, the Indian States ; they do not pay their Collectors and their Judges so much. Take Malaya and other colonies ; they do not pay their servants anything like it. If you want to achieve something practicable, you will have to reduce the pay of the services.

Another point is that the intelligentsia of India always look to Government appointments. The moment a boy is put into school, his parents start thinking : " What will he do ? Will he rise to be a High Court Judge, or will he be a Member of Council, or will he become an engineer, and so on. That is the position. The best part of the people, and the intelligent portion of the people, want Government service. What for ? Because of the loaves and fishes. I say, if you reduce the salaries, the position will be different. Take the Madras Presidency. The income is about Rs. 40 crores. We have got 26 districts. When you have got only four districts in a province, you cannot afford to have High Court Judges on Rs. 4,000 ; you cannot afford to have 15 High Court Judges each drawing Rs. 4,000 in such a small province. Take Malabar, for instance : that province would have only two districts. What I say, therefore, is that there is no objection to the division, provided the Government will allow the salaries to be reduced.

The Civil Service is in a peculiar position. It will not allow anybody to have its salaries reduced suddenly. It will take time for a provision like that to be made. But if a provision on those lines is made, I am in favour of dividing India into so many provinces. We will have a Federation, as in the case of the United States of America. The United States of America has got 48 States. If the Caribbean States are included, it will be 50. Why not have 30 provinces in India ? It will be a Federation. Everybody will be satisfied. I think the idea of Pakistan will be given up in that case. I mentioned that in my article : I said that all this trouble is due to hungering after the loaves and fishes. That is exactly what was stated by

a member—Mr. A. R. Siddiqui—in the other House. If you do not hanker after these loaves and fishes, things will be all right.

What I say is this. This is not the time to do it. It cannot be done at once. But on principle I think this ought to be done, provided, of course,—and this is the proviso about which I am particular—the salaries are reduced considerably so that each Government may be able to pay its way.

One thing only I want to say. My Hon. friend said that the Tamil people were benefited at the expense of the Telugu people. That is quite wrong. They have got an extensive irrigation project called the Dawaleswaram project which was constructed only at our expense. At Bezwada the Krishna river has been dammed and a number of districts have been benefited by the two projects—in the south, west and east. My Hon. friend forgets that. In South India there have been a number of big projects within the last 60 years. We want a number of projects like that—like Periyar, Mettur and so on. All the rivers must be dammed and water must be collected so that the water may be used for irrigation purposes and also for the purpose of manufacturing a number of things, including electricity. You may have water-power. Years ago, I may mention for the information of the House, the first English company which worked with water-power was at Ambasamudram. I believe that was opened in 1884 or 1885, purely with water-power, not by converting it into electricity. Directly with water-power a cotton mill was being worked—I think it was Harvey's called Papanasam mills. The Tamil people were more enterprising than our Andhra friends. They were more enterprising and started a number of industries. No doubt some succeeded and some did not succeed. However, all that is beside the point. What I want to submit, and submit with all the emphasis at my command, is that the services should not be paid anything like what the services are getting now. If that is acceded to, I am in favour of having as many provinces as possible—as many as there are languages.

THE HON. SIR N. GOPALASWAMI AYYANGAR (Madras : Non-Muhammadan)—Sir, I also happen to come from Madras Province. I desire to say a few words on this Resolution. As regards the substance of it, there can be no difference of opinion. If there is one area in India which is not already a separate province but which deserves to be a separate province, it is the Telugu speaking area of the Madras Presidency. I therefore do not contest the position that a separate Andhra Province should be formed, carved out of the present Madras Presidency.

But I think there is one point which at the present juncture we ought to take note of. My Hon. friend, Sir David Devadoss, referred to that particular point but did not elaborate it to the extent that I think it deserves to be elaborated, and that is this. Are we going to insist that this Andhra Province should be carved out and established here and now? That is a point which is worth consideration. The Congress as an organisation is already committed to a separate Andhra Province. But, if I have followed the pronouncements of leaders of that organisation, I rather think that they would not precipitate this issue before power has been transferred to the people of India. If I have judged their pronouncements aright, that, I think, is their present attitude. I know that in the Congress election manifesto it is said that the Congress stands for the re-grouping of provinces on a linguistic and cultural basis. But that is only a general statement. If I remember aright, Sir—probably the Hon. Mr. Thirumala Row will correct me if I am wrong—the representative of Andhradesa on the Congress Working Committee himself said quite recently that almost the first thing that a National Government, after it came into power under a new constitution, would undertake would be the re-grouping of Provinces on a linguistic basis, and I think the Andhra Province was amongst the Provinces he had in contemplation. The point is simply this. We have a Commission coming out to this country within the next few days. They are coming here after having made the declaration that they propose to take steps, adequate and sufficient, for the purpose of the transfer of power from Britain to India. They are coming here to smoothen the difficulties which now stand in the way of the framing of a constitution which would provide for this transfer of power. We want this transfer of power as early as possible. Are we going to delay the transfer of power to the people of this country by taking up the detailed investigation of the delimitation of the areas which would

[Sir N. Gopaldaswami Ayyangar.]

go into the linguistic Provinces of the future? That, I think, Sir, has exercised the minds of many people who have had to address themselves to this question and if I may mention one particular consideration in this connection it is this. The question of the framing of the new constitution is itself one which would occupy quite a large amount of time. We have got first to decide the lines on which it should be framed. We have then to frame the constitution. If we are going to delay the framing of the constitution until we have decided the number of new Provinces on a linguistic basis which would have to be brought into existence in this country, we shall not have this new constitution for the next 5 or 6 years probably. I think, Sir, it is the path of wisdom that we should exercise a little patience. The Andhras have waited, I know, for quite a number of years. They could certainly wait for another year or two, until power is transferred, and then let the new Government, which will be more representative of the people than the present Government, tackle problems of this sort. Let our new constitution provide the procedure under which such redistribution of Provinces could be made in the future. According to that procedure let the division be made, after we have acquired power in this country. That is the only thing I wish to say, Sir.

I might, in this connection, refer to a recommendation which was made by a Committee of which I was also a member. I am referring to the Sapru Committee. This is their recommendation in regard to this particular matter. They said:—

“While it is not desirable that the new constitution should be delayed by the realignment of provincial boundaries on linguistic or cultural considerations, the Constitution Act shall indicate the machinery and prescribe the procedure for such realignment of old Provinces and for the creation of new Provinces. After it has come into force and on such realignment or creation of Provinces, all consequential amendments may be made in the constitution.”

My only anxiety is that this transfer of power from Britain to India should precede the realignment of Provinces on a linguistic basis. Subject to that, Sir, I accord my full support to the substance of this Resolution.

THE HON. MR. G. S. MOTILAL (Bombay : Non-Muhammadian) : Sir, the Members who hail from Madras are more conversant with this subject than I am. So I have listened to their speeches with great attention and I find a consensus of opinion. They are more or less agreed on the principle. The principle enunciated in the Resolution is one which has their approval and support. But their anxiety is that this Resolution should not in any way delay the transfer of power from Britain to the people of India. There is nothing further from my mind or, as far as I know, from the mind of the Hon. Member who has moved this Resolution. He is more anxious than any one else and as anxious as every one of us that the transfer of power should come first and the problem should be dealt with by ourselves. He has pointed out that a Resolution was adopted by the Madras Assembly under the procedure laid down in the Government of India Act, and that Resolution accorded its support and approval to this principle. The Resolution was carried. The Hon. Sir David Devadoss referred to this problem as a question of division of loaves and fishes. I think, Sir, it is something much more than that. If it was a question of division of loaves and fishes, very many Members in this House or in the other place, would not have accorded their support to it. If there is an area which can be self-supporting economically, and there are certain facilities, and if they want to form an autonomous province of their own, that has been the principle accepted for a long time. The question of Pakistan stands on a different footing. That is very well known to the Hon. the Leader of the House. But, as the Provinces are situated today, they are, as is admitted, not based on any real principle. They are a growth of history. It would be of interest to the country to appoint a Boundary Commission, which probably the National Government will do, to find out a realignment of the Provinces, where the people speaking one language and having one creed or belonging to one group may live together, speaking the same language and carrying on the administration also in the same language. I quite see the point of view raised by Sir David Devadoss. You do require a common language. I stand for a common language as much as any individual Member

in this House does. I feel strongly about it. But I do also feel that English is not a very suitable common language for a long time for India. It is only for a very short time. If Indians can learn and understand English and talk as we do, there is no reason why we of the north should not learn some of the languages of the South like Telugu and Tamil, and why people in the south should not learn Hindi and Urdu. Even now there are so many people who understand these languages when they come into contact with people or live in those areas. For instance, in Hyderabad there are lots of people who understand and speak Telugu, though their mother tongue is not Telugu. Similarly there are people coming from the Telugu portions who can speak Hindustani and my Hon. friend is a living example of that. We have to carry on the business of the Legislatures in the English language, while we all find difficulty in expressing ourselves as fluently as we could do in our own languages.

These are questions which do deserve consideration; and if a Boundary Commission is to be appointed, it can only be appointed by a National Government when it comes into power if nothing comes in its way or delays it. But the Boundary Commission will consider a number of other questions also. This question has been considered in that Province and support has been given to the Resolution. As long ago as 1907 no less a person than Lokamanya Tilak supported the principle to which this Resolution refers. This Resolution does deserve very serious consideration.

THE HON. MR. V. V. KALIKAR (Central Provinces: General): I had no desire to take part in the debate on this Resolution; but as my friend has referred to the disruption of Ministries in the C. P., I am constrained to make some observations.

THE HON. MR. M. THIRUMALA ROW: That was not my main argument.

THE HON. MR. V. V. KALIKAR: He advanced the argument that in the C. P. Ministries were disrupted simply because the C. P. consists of Hindi-speaking and Mahrathi-speaking portions, and therefore I must make the position of my province clear. I must also state something about the general principle underlying the Resolution. I am of opinion that the realignment of provinces or creation of new provinces on a linguistic basis is a very very wide question. This question has been discussed in the various Legislatures. This point has been debated so many times. But I think we should not dabble in this large question at this moment, because I personally think that when Britain is thinking of handing over power to India, all these questions will have to be examined and decided by the constitution-making body. If the constitution-making body comes into power soon, they will have to appoint a Boundary Commission or a Delimitation Committee and I should rather prefer that these questions should be examined by these Committees rather than by this House. My friend referred to the disruption of Ministries in the C. P. So far as the disruption of Ministries in the Congress regime is concerned, I think my friend can speak more authoritatively than myself. I had the privilege of being a member of the Local Council for 5 years, and when I was a member of the Council there was a disruption of Ministry; but that did not occur because of loaves and fishes. You know, Sir, that when the first Ministry was set up in C. P. consisting of Messrs. Kelkar and Chitnavis, that Ministry continued for the whole period. When the Raghavendra Rao Ministry was formed, it was disrupted on account of political differences and not on account of loaves and fishes.

THE HON. MR. M. THIRUMALA ROW: I did not say loaves and fishes.

THE HON. MR. V. V. KALIKAR: I know that; but my friend said that because the C. P. consists of Hindi-speaking and Mahrathi-speaking people, each had their own ambitions to be fulfilled and therefore the Ministry was disrupted. That was not the case in the C. P. when the first Ministry was disrupted. So far as the Second Ministry, the Congress Ministry was concerned, my friend can speak better, with more authority, than myself. I do not want to dabble in those politics. If the Madras Assembly or any other Assembly has tackled this question

[Mr. V. V. Kalikar.]

and if the Madras Government think that Madras should be divided into 3 or 4 provinces, that is a question not only for Madras, but for all-India, because it has got an all-India aspect, and one has to look at the question from an all-India point of view. If my friend looks at this question from an all-India point of view, then I would request him to wait for a period of a year or two, to wait till the constitution-making body is appointed and let this question be examined and decided by them. One may agree with him in principle or some may have honest difference of opinion, but there is no doubt that the question deserves examination. I do not think that this is the proper forum where he can discuss this question and get a verdict on it in this House. I therefore request him to wait for a period of 2 or 3 years more.

THE HON. MR. M. THIRUMALA ROW: Mr. President, Sir, I feel grateful for the sympathy that has been shown in this House for a cause that is nearly 30 years old and is in the throes of anguish for fulfilment. There is a good deal of agitation of a vast population behind this. What I want to tell the elected as well as the nominated section of this House is to disabuse their minds of any idea that I am simply rushing it through, but the time has come for it. I have listened to the speech of Sir David Devadoss and Sir N. Gopalaswami Ayyangar and I claim to have read the report of the Sapru Committee also. All that I want to say is this. If the new Executive Council at the Centre is going to be formed in the next two or three months or very soon some time after the advent of the British Parliamentary Mission here, then this Resolution would strengthen their hands, would give them an opportunity to review the whole position and try to hasten the formation of a Boundary Commission. Sir Gopalaswami Ayyangar has referred to a statement issued by the Andhra member of the Congress Working Committee and I claim to know his mind too and I had talks with Congress Leaders who are responsible and who are in very high places, and I can say that their minds too are working in the direction of giving effect to these proposals as early as possible. They have made public statements to that effect. Therefore, if this House accepts this Resolution *in toto* it does not mean that it is going to hasten or shackle the freedom of the Government of India that is coming into existence very soon. I do not mean that. All that I mean to say is that this proposal has also got the fullest moral as well as the constitutional support of the members of this House. That is what I want from you. I do not want to go into the question whether it is a matter of loaves and fishes or of big men or small men. We have got eminent lawyers like Sir B. N. Sharma, Sir Vepa Ranesam and last but not least T. Prakasam who has sent four or five members from his chamber to the High Court Bench. Therefore, it is not a question of competition or jealousy or any such thing.

I am sorry my Hon. friend Mr. Kalikar entirely misunderstood me. I really did not want that he should have had to contradict or to explain the situation in C. P. It is linguistic combinations which are somewhat incongruent, if not entirely contradictory, which create situations and where rivalry for power is natural. Therefore, one group wants to have the Premiership or the say in the matter of the administration of the Province once and the other group wants it another time. I only mentioned it as a cause, not to hold it to derision or anything like that. Therefore I would request him not to have the idea that I wanted to criticise the situation. I only wanted to point out that when there is a homogeneous group in an administration, of one language and one area, they will be subjected to greater control of public opinion. I would therefore request you all, now that once in our lifetime we have got from the Government the decision that they are going to remain neutral, to support my Resolution.

THE HON. THE PRESIDENT: Perhaps you are not aware that on previous occasions too the Government have asked their members to remain neutral.

THE HON. SIR DAVID DEVADOSS: Several.

THE HON. MR. M. THIRUMALA ROW: Well I am trying to take full advantage of their generosity if that is such. Therefore, I request the House to adopt this Resolution. It will only be the opinion expressed by this House. It is the Government, that is either the present Government or the Government that comes into existence according to the professions of the British authorities, that will take due notice of the opinion of this House. I would therefore request you all to allow this Resolution to be passed.

With these words, Sir, I resume my seat.

THE HON. THE PRESIDENT: It is not necessary to read the Resolution again. I therefore put it to the vote of the Council.

The Motion was adopted.

THE HON. THE PRESIDENT (to the Hon. Mr. M. Thirumala Row): I am going to adjourn the House at this stage but tomorrow your Adjournment Motion will be moved in the afternoon. I will give you the time tomorrow.

THE HON. MR. M. THIRUMALA ROW: (Madras: Non-Muhammadan): Can you tell me the time now, Sir?

THE HON. THE PRESIDENT: It is impossible for me to tell the time just now. The Budget will be presented tomorrow at 5 P. M. and I will give you such time that the discussion on your Adjournment Motion will be finished before 5 P. M. in any case.

The Council then adjourned till Eleven of the Clock on Thursday, the 28th February, 1946.