

Friday, 15th November, 1946

COUNCIL OF STATE DEBATES

(OFFICIAL REPORT)

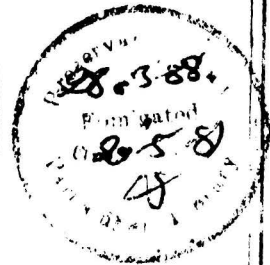
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TWENTIETH SESSION

OF THE

FOURTH COUNCIL OF STATE, 1946



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COUNCIL OF STATE

Friday, 15th November, 1946.

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

QUESTIONS AND ANSWERS

INDIANS IN FRANCE

66. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** : Are Government aware that Mr. Girja Mukerji, former Ambassador at Vichy, of Netaji Subhas Chandra Bose's Azad Hind Government, has appealed for "food, clothing, and the minor amenities of life", to "survive the forthcoming winter", on behalf of himself and the personnel of the Azad Hind Government ? Have they made enquiries, and will they make a statement regarding the number, whereabouts, and the conditions of these persons, and what has been done for their relief ?

THE HONOURABLE MR. A. V. PAI : The Government of India have no information about the first part of the question. An Indian Military Mission has been established in Berlin, one of whose functions is to trace the whereabouts of Indians in Austria and Germany and to look after their interests. So far 69 out of 92 Indians who were thought to have been in Germany have been traced and every effort is being made to repatriate them to India. Indians who are in France or in other European countries in which the Indian Military Mission, Berlin, has no authority can approach the local British Consular authorities for assistance. The Government of India are making every effort to assist Indians abroad, both in regard to the provision of the necessaries of life and in the matter of their repatriation.

MANUFACTURE OF FOUNTAIN PENS

67. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH** : (a) Are Government aware that among the post-war industries which have come into existence in India is the manufacture of fountain pens ? If so, what steps have they taken to protect this infant industry from unfair foreign competition ?

(b) Is it a fact that the President of the Reynolds Pen Company of New York, U. S. A., is sending out a chartered plane with about 100,000 fountain pens for Karachi and that this firm has already sold in Karachi over 12,000 such pens recently ? What steps have Government taken to prevent the Indian markets from being flooded by foreign products to the detriment of Indian industry ?

(c) Are they aware that a firm in Karachi recently secured an order from Cairo for the supply of 100 gross nibs for use in fountain pens ; and that this order was confirmed by the firm in Cairo, which opened a letter of credit on the strength of the confirmation given by the Assistant Export Trade Controller, Bombay, that export of these nibs was free, and no licence was required ?

(d) Are they aware that when the goods were ready for despatch, the Assistant Trade Controller in Karachi refused permission for export, and the Assistant Trade Controller Bombay, also cancelled his original letter of confirmation, and this cancellation was upheld by the Chief Controller of Exports to whom the matter was ultimately represented ?

(e) Are they aware that this decision has seriously injured this indigenous industry ? Have they made an enquiry into this case, and will they state the facts and also the steps taken in this connection ?

THE HONOURABLE MR. Y. N. SUKTHANKAR : (a) As far as Government are aware a few concerns established before the war and one established after the

war, are manufacturing fountain pens from imported parts and raw materials. The grant of protection to an industry is usually preceded by an investigation by the Tariff Board and such an investigation can only be undertaken if the applicant establishes a *prima facie* case for protection. An application for protection to the fountain pen industry was received in April last but detailed particulars required for consideration of the case, asked for from the applicant, have not yet been furnished.

(b) Government have no information that the President of the Reynolds Pen Company of New York is sending out a chartered plane with about 100,000 fountain pens for Karachi and that this firm has already sold in Karachi over 12,000 such pens recently. Licences for import of fountain pens from the U.S.A. are granted freely against definite offers for supply. So far as can be readily ascertained from the records available here, import licences for over 40,000 gross fountain pens have been issued and it is not impossible that the reported import of 100,000 fountain pens by the Reynolds Pen Company of New York is covered by these valid import licences.

Ordinarily imports of goods from abroad are either completely prohibited or restricted in cases, where the application of a liberal licensing policy is likely to cause undue injury to the Indian industry.

(c) M/s. G. V. Advani & Co., Bombay, approached the Export Trade Controller, Bombay, on 4th May, 1946, for export of fountain pen nibs to Middle East, South and West Africa. The Export Trade Controller, Bombay, under a misapprehension informed them that export licences are not necessary for the export of these nibs provided they are of indigenous manufacture.

(d) The Karachi Office of the same company wrote to the Export Trade Controller, Karachi, stating that they desired to export Indian made fountain pen nibs to Egypt and asking whether there are any restrictions on the export of the same. As "fountain pens" are included in part D of the Export Trade Control Notification and as the ruling given by the Export Trade Controller, Bombay, was contrary to the existing instructions, the Export Trade Controller, Karachi, referred the matter to the Chief Controller of Exports, who informed him that export of fountain pen nibs should continue to be refused in view of the existing instructions. In the meantime the Export Trade Controller, Bombay, also was apprised of this position, who cancelled his letter to the Bombay Office of this firm.

(e) The question of liberalising the existing instructions in regard to the export of Indian-made fountain pens and parts thereof, is under the active consideration of the Government of India, and final orders are expected to issue shortly.

THE HONOURABLE MR. V. V. KALIKAR : Will the Honourable Member give the number of concerns that were established before the war for the manufacture of fountain pens ?

THE HONOURABLE MR. Y. N. SUKTHANKAR : I must ask for notice of that question, Sir.

INDO-CHINESE TRADE, ETC.

68. **THE HONOURABLE RAJA YUVERAJ DUTTA SINGH :** Is it a fact that the Chinese Government have made representation to the Government of India for simplification and if possible removal of restrictions on movements of Chinese and Indians from one country to another, for facilitating Indo-Chinese trade and cultural developments ? What has been the Government's response to this request ; and in what respects the position has been improved ?

THE HONOURABLE MR. A. V. PAI : Yes. The general question of the extent to which the existing visa regulations can be relaxed is at present under consideration of the Government of India and an early decision is anticipated.

STATEMENT BY CONGRESS ON REGULATIONS, ORDINANCES, ETC.

69. THE HONOURABLE RAJA YUVERAJ DUTTA SINGH: Has the attention of Government been drawn to—

(a) The following statement in the I. N. Congress election manifesto of 1936 :—

“The Congress representatives will take all possible steps to end the various Regulations, Ordinances and Acts which oppress the Indian people, and smother their will to freedom” ?

(b) The Fundamental Rights as defined in the Congress resolution passed in its Karachi session in 1931, which condemned detention without trial, issue of Ordinances and other arbitrary acts of an irresponsible bureaucracy ?

(c) The following solemn declaration in the Congress election manifesto in 1945 :—

(i) “Congress envisages a free democratic state with the fundamental right and civil liberties of all its citizens guaranteed in the constitution” ?

(ii) “Large numbers of our countrymen are still in prison, and obstructions in the way of holding public meetings still continue in many places” ?

(d) Will Government state why even on the advent of National Government at the Centre and the Congress Ministries in most of the Provinces, Ordinances have been issued authorizing detention without trial, arbitrary imposition of collective fines, executive control of public meetings, serious curtailments of the civic rights of the people, and the continuance of the provisions of the Defence of India Act and its Rules, in some form or the other ?

THE HONOURABLE MR. A. E. PORTER: (a), (b) and (c) (i) Yes.

(c) (ii) I have been unable to trace this quotation.

(d) I can reply only for the Central Government. Since the Interim Government took office, no Central Ordinance containing provisions of the nature indicated has been promulgated.

SUPERINTENDENCE BY THE CENTRE OVER PROVINCES

70. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether under the existing constitution the Government of India possess indirect powers of control and superintendence over the administration of a province when some unprecedented calamity or emergency, such as famine, pestilence, cyclone, flood, pest or uncommon outburst of lawlessness overtakes the latter ?

(b) Whether the Province of Bengal which has had to suffer so much by reason of its close proximity to the eastern theatre of war has not of late got help from the Government of India during such calamities in the exercise of their general powers of superintendence over the provincial administration ;

(c) If the answer to (a) is in the affirmative, whether the Government of India considered the question of exercising such powers when they were apprised of the most terrible happenings in Calcutta in August last and of unprecedented organized lawlessness and hooliganism in Dacca in September and of unheard of and organized arson, loot, abduction of women and forcible conversion in Noakhali in October in the Province of Bengal ;

(d) Did they exercise such powers ; if not, why not ?

THE HONOURABLE MR. A. E. PORTER: (a) The Home Department is not concerned with calamities such as famine, cyclone, floods or pests. The maintenance of law and order is primarily a responsibility of the Provincial Governments. The question of superintendence by the Centre is a matter of interpretation of the law and I refer the Honourable Member to the relevant provisions of the Constitution Act on this question.

(b) The Government of Bengal has received and will doubtless continue to receive assistance of various kinds from the Government of India, without any question arising of such assistance being rendered in the exercise of any power of control.

(c) to (e). As I have said in answer to part (a) of the question the powers, if any, possessed by the Government in this respect are a matter of interpretation. On this there is room for a difference of opinion and I have no doubt that the Honourable Member will appreciate the position of Government in not intervening in this matter.

TRANSMISSION OF RADIO MESSAGES BY THE MILITARY ON DIRECT ACTION DAY

71. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether they are aware that radio messages were transmitted at short intervals from the wireless station at the Calcutta Fort during the Muslim League's Direct Action Days in Calcutta in August last?

(b) If not, whether they propose to hold an enquiry into the truth or otherwise of the matter?

(c) But if the answer to (a) is in affirmative, then (i) the ultimate destination of those messages; (ii) at whose behest they were sent?

(d) Whether the Commander of the Garrison at Fort William in Bengal and his Deputy Brigadier General were timely apprised of those messages of the disaster that was impending upon Calcutta on 16th August and the three subsequent days thereafter?

(e) Whether those military chiefs gave timely information and warning to the Civil Authorities in Calcutta of the apprehended danger and trouble?

(f) If so, to whom and exactly on what date and at what time?

(g) Whether it is a fact that between 8 and 9 in the morning on 16th August last one such message carried some such text: "Rajabazar, Muslims are preparing to attack the neighbouring Hindu localities"?

(h) Whether the texts of all such messages recorded at the Fort during the period referred to will be given out either to the public or to the Calcutta Disturbances Inquiry Commission?

THE HONOURABLE SARDAR BALDEV SINGH: (a) It is a fact that during the Calcutta disturbances those messages were transmitted from the Calcutta Fort. They were on a wave-length for Calcutta only and not for areas outside.

(b) Does not arise.

(c) The messages were addressed to the troops and consisted of reports on the situation to enable troops to know what was happening throughout Calcutta.

(d) As the messages were issued by the military authorities, they were naturally aware of their contents before issue.

(e) The messages were based on information received from the civil authorities and the military had no exclusive information.

(f) Does not arise.

(g) and (h) No, Sir. The messages were broadcast at 9-45 and 10-45 on the 16th August but neither contained such a message as is referred to by the Honourable Member. The texts of all such messages, which as stated were based on information received from the civil authorities, will certainly be available for the Commission if they wish to see them.

MANUFACTURE OF BOBBINS

72. THE HONOURABLE MR. SURPUT SINGH: Will Government state:

(a) Whether they are aware that an industry has sprung up in Calcutta and its suburbs for the manufacture of wooden bobbins of all shapes and sizes since they ceased to come from abroad during the latter years of the war?

(b) Whether these country made bobbins have fully met the requirements of the numerous jute and cotton mills in Bengal when foreign-made bobbins became scarce in the market?

(c) If the answers to (a) and (b) are in the affirmative, what steps they have taken or intend to take in order to afford some sort of impetus to the country's nascent industry so that it may survive foreign competition?

THE HONOURABLE MR. M. W. M. YEATTS : (a) Yes, Sir.

(b) No, Sir.

(c) Assistance has been given to bobbin manufactures all over India in the procurement of raw materials such as timber, terne plates, varnish, white spirit and mineral turpentine. The industry has asked for tariff protection and the question is under consideration.

MANUFACTURE OF PLYWOOD BOXES

73. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether an industry has arisen in Bengal for the manufacture of plywood boxes for export of tea chests abroad?

(b) If the answer is in the affirmative, the reason why the manufacturers of such tea-chests are not afforded the metal bands and nails for the manufacture of chests at control price but are required to get their supplies in those lines from the indentors of such chests?

(c) Whether they propose to remove such control by the indentors and to allow the manufacturers of chests to obtain direct the bands and nails according to their requirements at control prices?

THE HONOURABLE MR. M. W. M. YEATTS : (a) Yes, Sir.

(b) and (c). Tea chests are assembled at tea gardens, not at works of plywood manufacturers. Nails are therefore required only at tea gardens or at repacking depots. All nails allotted for distribution to tea gardens and repackers for tea packing are released through the Indian Tea Association and distributed to gardens and repackers in accordance with Tea Trades packing programme. Steel for the manufacture of corner bands is released direct to manufacturers of tea-chest fittings.

INCIDENT AT THE CENTRAL TELEGRAPH OFFICE, CALCUTTA

74. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether there occurred any sensational incident in the officers' quarters at the Central Telegraph Office in Calcutta on the night of 9th October last; if so, the exact details thereof?

(b) Whether the nationality of and the quarters from which the miscreants came have since been found out?

(c) Whether in view of the most dangerous happenings between 16th and 19th August last in Calcutta any precautions were taken to guard against any such untoward incident at the G. P. O. and the C. T. O., Calcutta?

(d) Whether police and departmental enquiries into the incident were made, if so, what was the result?

(e) Whether a report of the incident was sent to the Press?

THE HONOURABLE MR. A. R. NISHTAR : (a) and (b). The only incident of which Government has information is that on the 9th of October two unarmed loiterers, believed to have been seeking shelter for the night, were found on the Central Telegraph Office premises. They were handed over to the police who consider the incident might be made the subject of a petty court case.

(c) Government have no information.

(d) Such measures as were possible for the protection of the General Post Office and Central Telegraph Office were taken.

(e) The case is in the hands of the police.

INTELLIGENCE BUREAU

75. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether the Central Intelligence Bureau attached to the Government of India was in any way cognisant of the nefarious smuggling transactions which were going on in lethal weapons through the railways and post offices from U.P. and the Punjab to Bengal and Bombay under fictitious names of consignors and consignees ; if so, what steps did they take to prevent betimes such illicit smuggling of knives and daggers ?

(b) Whether after the ugly disclosures that have come to light already, the department concerned has set up a regular enquiry to trace the offenders, if so, with what results ?

(c) What preventive measures have since been adopted by the different railways and the postal department to detect such dangerous consignments in the future ?

THE HONOURABLE MR. A. E. PORTER : (a) The Intelligence Bureau has seen in the press and received from other sources reports that parcels containing cutlery had been consigned to various addresses principally from Wazirabad in the Punjab. Such reports as the Bureau received were transmitted to the provincial police authorities concerned. The Bureau has not any staff for preventive or investigating work nor do its functions extend to such work. The Provincial Governments are responsible for public order and have been entrusted with the administration of the Arms Act and rules under the Act.

(b) Does not arise.

(c) I have ascertained that existing rules of the Railways and the Posts and Telegraphs Department already provide for the prohibition, detection and stoppage of unlawful traffic in arms coming under the purview of the Arms Act.

WORKING OF THE GENERAL POST OFFICE, CALCUTTA

76. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether the service record of the present Presidency Post Master, Calcutta G. P. O., has been such as to ensure efficient postal working under him even in quite normal times ?

(b) Whether there has not been wholesale bungling of all postal working and business under him under the excuse of the general strike and the civil disturbances ?

(c) What specific measures have been introduced by him and his numerous subordinates in the various town offices in Calcutta to rise above the prevailing situation ?

(d) Whether the present Post Master General, Bengal and Assam, is a *bona fide* postal official having had previous training and experience of the administration, working and management of post offices under him ; if not, why such person has been placed in supreme charge of post offices of a big and progressive province like Bengal ?

THE HONOURABLE MR. A. R. NISHTAR : (a) Yes.

(b) No.

(c) Certain measures have been introduced to meet the present abnormal situation prevailing in Calcutta. For instance night shifts on in sorting and delivery department of the Calcutta G.P.O. have been introduced. Arrangements have been made to transport the staff as far as possible between their residences and places of duty.

(d) The present Postmaster General of the Bengal Circle is a Telegraph Engineering officer but he has held charge of Posts and Telegraph Circles for about four years and has acquired experience of postal administration. Assam now forms a separate Circle and is not under the control of the Postmaster General, Bengal.

IRREGULAR DELIVERY OF LETTERS ETC., IN CALCUTTA

77. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether they are aware of the irregularities in the postal working of letters, registered articles, money orders and telegrams in Calcutta and other towns in Bengal for over 2½ months ?

(b) Whether such irregularities have still been allowed to continue despite the gradual return of normal conditions ; if so, why ?

THE HONOURABLE MR. A. R. NISHTAR : (a) The disturbed conditions in Calcutta have resulted in unavoidable delays and irregularity in delivery of letters registered articles, money orders and telegrams. Enquiries will be made in regard to other towns in Bengal if the Honourable Member will give names of those which he has in mind.

(b) No.

TELEPHONE SYSTEM, CALCUTTA

78. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether it is a fact that the working of the Telephone system in Calcutta between 16th and 19th August last was most irregular ?

(b) Whether general public did not have to suffer irreparable damage and wrong due to the failure of the system when the great Calcutta killing was going on ?

(c) Whether it is a fact that despite such failure of service to all and sundry, influential persons and parties actually enjoyed regular service during the period in Calcutta ? If the answer is in the affirmative, the reason for such discriminatory treatment by the department concerned ?

(d) Whether they propose to hold forthwith a regular enquiry into the whole breakdown of the system to punish offenders for the discrimination and set matters right for regular and uninterrupted service in future ?

THE HONOURABLE MR. A. R. NISHTAR : (a) No, but due to inability of the telephone staff to move from their homes and report for duty, the service had to be restricted to essential connections only. The list of essential connections for use in such emergencies was prepared in consultation with the Provincial Government, the Calcutta Corporation, the Chamber of Commerce and the Railways early in the year.

(b) Government are not aware of the extent of the damage suffered by the public on account of the curtailment of telephone service.

(c) No.

(d) Government feel that there is no sufficient ground for instituting a regular enquiry. A full report from the General Manager has been received and is under examination. I may, however, state for the information of the Honourable Member that it is intended as a part of the post-war telephone development scheme to convert the whole of Calcutta telephone system to automatic working which will provide a better service during emergencies than the present manual system.

POST OFFICE AT KATRASGARH, MANBHUM DISTRICT

79. THE HONOURABLE MR. SURPUT SINGH : Will Government state :

(a) Whether it is a fact that the Post Office at Katrasgarh in Manbhum District draws its main business from the neighbouring collieries of the Tatas and the Birds situated at a distance of about two miles from the post office ?

(b) Whether it is a fact that there are about 5,000 people residing in Tata's Colliery Colonies at Malkera and Choutidih and almost an equal number in those of the Birds both in close proximity of each other ?

(c) Whether they intend to open a sub-post office in a place midway between the two collieries to remove the inconvenience and hardship of a very vast number of people living in and about the two important collieries ?

THE HONOURABLE MR. A. R. NISHTAR: (a) Katrasgarh Post Office draws its business from several other collieries besides Tatas and Birds.

(b) About 3,000 people reside in Tatas Colliery Colonies at Malkera and Choutidih and about 1,200 in those of Birds.

(c) The matter will be examined.

THE HONOURABLE THE PRESIDENT: I must mention that the Honourable Members who give notices of their questions, to answer which Government takes lot of trouble, should at least have the courtesy to give notice to the office if they are unable to be present. The whole list is full of Mr. Surput Singh's questions.

PRODUCTION OF VEGETABLE GHEE

80. THE HONOURABLE MR. G. S. MOTILAL: (a) What is the monthly production of vegetable ghee in India at present?

(b) How many more factories are likely to work during the next twelve months and how much Vegetable Ghee will they produce each month or in a whole year?

(c) How many more factories will start working in the year after next and what will be their production?

(d) What was the previous Government's plan regarding the extension of the existing factories and for the establishment of new factories? What quantity of such ghee, according to that plan would be produced in India in a month?

(e) What was the quantity of vegetable ghee and similar product imported in India during the last twelve months?

(f) Was any enquiry made by Government as to the nutritional value of such ghee and its effect on public health?

(g) Are Government in a position to state how much of this vegetable ghee is used for adulteration of real ghee?

(h) Has any research been made by any of the Government Departments regarding the effects of its use on the health of the public using it?

(i) What are the other ways used for adulteration of ghee? What measures have been devised for preventing adulteration?

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) The monthly production at present is approximately 15,000 tons.

(b) and (c). 44 factories, with a total monthly capacity of 21,000 tons are under construction, which will be completed, according as machinery is available, within the next two years.

(d) The plan was in two sections: Long term and short term. The objective of the short term plan was to avoid excessive expansion and confine it to the immediate needs of the people for cooking oil, and to secure that factories were so located as to utilise raw materials available on the spot, check the possibility of adulteration of ghee, and make the product available where it was most needed. Before determining on the long term plan Government consulted a Committee of the Industry. Their recommendations have confirmed the target of the short term plan and Government have decided to restrict production to that figure for some time to come. The resulting production will be 13,000 tons per month.

(e) Nil.

(f) and (h). The nutritive value of Vanaspati has been the subject of investigation under the Imperial Council of Agricultural Research for the last two years. The effect of Vanaspati on public health has been ascertained from time to time from medical and scientific authorities, whose opinions were laid on the table of the House in response to question No. 116 of the last session.

(g) No.

(i) Ghee can be adulterated with animal fats and edible oils. No special preventive measures have been devised, but appropriate authorities prosecute adulteration on the evidence of analytical values.

INDIAN TROOPS IN INDONESIA

81. THE HONOURABLE MR. G. S. MOTILAL : Will Government state whether Indian Troops have been completely withdrawn from Indonesia; if not, what units are there and what is their number and when they would be withdrawn ?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh) : No, Sir, but it is the intention to withdraw all Indian troops from Indonesia by the end of November, 1946. It would not be advisable to reveal the exact number there at present, until other countries also decide to do so with regard to their troops.

THE HONOURABLE MR. M. THIRUMALA ROW : What is the nature of the duties that the Indian troops are carrying out in Indonesia ?

THE HONOURABLE MR. C. H. BHABHA : The usual army duties.

THE HONOURABLE MR. M. THIRUMALA ROW : Is it also part of their duties to suppress the Indonesian movement for independence ?

THE HONOURABLE MR. C. H. BHABHA : No, Sir.

DISPOSALS COTTON CLOTH

82. THE HONOURABLE MR. G. S. MOTILAL : Is it a fact that the Disposal Department sells cloth at 12½ per cent. over ex-mill price ? What is the reason of it ?

THE HONOURABLE MR. M. W. M. YEATTS : Disposals cotton cloth is sold at either 10 per cent. or 12½ per cent. over the ex-mill price. 12½ per cent. is charged when the cloth is of a very popular type which sells easily, such as longcloth, and 10 per cent is charged for less popular varieties. The margin allowed by the Cotton Textile Control for new Indian-produced cloth is 20 per cent. between ex-mill and retail prices. This margin has to cover a range of handling greater than applies to Disposals cloth and to allow 20 per cent. would for the latter cloth be excessive. Hence the lower margins mentioned above.

CLOTH PRICES

83. THE HONOURABLE MR. G. S. MOTILAL : Do Government propose to reduce the difference of 20 per cent. fixed between the ex-mill and retail prices of cloth ?

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

IMPORTS OF FOODGRAINS

84. THE HONOURABLE MR. G. S. MOTILAL : (a) What quantities of foodgrains have been received from countries outside India during the last twelve months ? When is Burma rice likely to be available for India ?

(b) What is the quantity of each type of foodgrains produced in the current agricultural season ?

THE HONOURABLE SIR PHEROZE KHAREGAT : (a) I place a statement on the table of the House. Burma rice is already coming to India.

(b) Reliable quantitative estimates of the outturn of food crops in the current agricultural season (1946-47) are not yet available but the information received from various parts of the country shows that the outturn of kharif crops will be approximately average on the whole.

A statement showing the outturn of food crops during 1945-46 is placed on the table of the House.

Statement showing arrival of foodgrains from abroad during last quarter of 1945
(October to December 1945)

	Source of supply	Quantity	Foodgrain
October 1945	U. S. A.	22,827	Wheat
	Canada	63,386	"
	Total	86,283	
November 1945	U. S. A.	20,687	Wheat
	Canada	45,774	"
	Burma	6,600	Rice
	Total	73,081	
December 1945	U. S. A.	49,902	Wheat
	Canada	65,704	"
	Burma	39,334	Rice
	Egypt	6,500	"
	Total	161,440	

January—October 1946

MOVEMENT BRANCH

Imported foodgrains—Arrivals during 1946

A. Foodgrains other than rice.

	From	Tons	
(i) Arrivals against shipments made in 1945.			
January 1946	U. S. A.	29,778	Wheat
	Canada	50,433	"
	Total	80,211	
February 1946	U. S. A.	22,246	"
	Canada	48,346	"
	Total	70,592	

	From	Tons	
<i>(ii) Arrivals against 1946 shipments.</i>			
February	U. S. A.	15,015	Wheat.
	Canada	24,195	..
	Total	39,210	
March	U. S. A.	27,881	..
	Canada	4,443	..
	Australia	36,091	..
	Total	68,415	
April	U. S. A.	29,706	..
	Canada	7,500	..
	Australia	62,182	..
	Australia	12,803	Wheat equivalent of 9,350 tons of flour at 73% extraction basis.
	Total*	112,196	
May	Australia	62,169	Wheat.
	Australia	42,470	Wheat equivalent of 31,003 tons of flour.
	U. S. A.	26,164	Wheat
	Canada	3,500	..
	U. K.	5,500	Wheat equivalent of 4,000 tons of flour.
	Total	139,823	
June	Australia	52,398	Wheat.
	Australia	15,895	Wheat equivalent of 11603 tons of flour.
	Canada	39,314	Wheat.
	Total	107,607	

	From	Tons	
July	Australia	48,471	Wheat.
	Australia	45,478	Wheat equivalent of 33,199 tons of flour.
	Canada	53,212	Wheat.
	U. S. A.	33,879	„
	U. S. A.	76,979	Maize.
	Total	258,019	
August	Australia	52,931	Wheat.
	Australia	19,245	Wheat equivalent of 14,049 tons of flour.
	Australia	1,050	Barley.
	Canada	9,308	Wheat
	U. S. A.	43,105	„
	U. S. A.	8,913	Maize.
	Argentine	25,301	„
	Burma	2,730	„
	Iraq	170	Millets.
	Egypt	19,625	„
Total	182,378		
September	Australia	43,836	Wheat.
	Australia	35,764	Wheat equivalent of 26,108 tons of flour.
	Australia	200	Millets.
	U. S. A.	67,581	Wheat.
	U. S. A.	5,100	Maize.
	U. S. A.	7,625	Milo.
	Burma	2,300	Maize.
	Agrentine	26,182	Maize.
	Egypt	4,709	Barley.
	Egypt	14,644	Millets.
	Abbyssenia	1,421	Millets.
	Total	209,362	

	From	Tons	
October	Australia	17,079	Wheat
	Australia	900	Millets
	U. S. A.	32,499	Wheat
	U. S. A.	6,852	Wheat equivalent to 5002 tons of flour.
	U. S. A.	7,475	Milo
	Argentina	97,118	Maize
	Argentina	1,684	Millets
	Egypt	2,157	Barley
	Egypt	3,200	Millets
	Turkey	6,900	Barley
	Iraq	17,200	Barley
	Iraq	1,000	Millets
		Total	194,064
<i>(i) Arrivals against 1945 programme</i>			
January	Burma	29,368	
<i>(ii) Arrivals against 1946 programme</i>			
May	Burma	9,381	
June (i)	Burma	24,377	
July	Burma	36,568	
	Siam	8,700	
	Saigon	3,890	
	Total	49,158	
August	Burma	22,908	
	Brazil	9,500	
	Total	32,408	
September	Burma	54,248	Rice equivalent of 6019 tons of Paddy.
	Java	4,000	
	Total	58,248	
October	Brazil	19,376	Rice
	Java	12,000	"
	Total	31,376	

Statement showing the total production of major foodgrains during the year 1945-46.
(Figures in 000 tons).

Year	Rice	Wheat	Jowar	Bajra	Gram	Maize	Barley
1945-46	26,249	8,967	5,546	3,375	3,614	2,518	2,115

(These figures are subject to revision when the final forecasts for all these are ready and relate only to reporting areas.)

PRODUCTION AND IMPORT OF PETROL

85 THE HONOURABLE MR. G. S. MOTILAL: (a) What quantity of petrol has been produced in India and received from abroad during each of the last twelve months?

(b) How much of it was issued to (i) military, (ii) other Departments of Government, and (iii) public, in each province?

(c) What steps have been taken recently for prevention of black market sales of petrol by the military and others?

THE HONOURABLE MR. C. H. BHABHA (on behalf of the Honourable Sardar Baldev Singh): (a) and (b) (i). I lay a statement on the table.

(b) (ii) and (iii). I lay a statement on the table showing issues of petrol to the various provinces for the last four quarters. It has not been possible to work out figures for each month nor to show issues to the public separately from those to departments.

(c) (i). *Armed Forces.*

The following measures have been adopted for the prevention of fraudulent disposal of petrol by members of the Armed Forces :—

(a) When drawn by a unit motor spirit is taken on ledger charge and is issued to drivers on an Indian Army Form on which the signature of the driver is obtained. After each journey the mileage run is entered either on a duty slip or, in the case of staff cars, motor cycles and ambulances, in the car diary. At the end of the day the petrol consumed is also entered in the duty slip. From these duty slips entries are made in the vehicles daily running account which contains the monthly mileage and petrol record of every vehicle day by day. From the daily running account the average mileage per gallon can be calculated.

(b) Petrol stored in bulk is either under an armed guard or is in a locked store. Whichever is the case all such petrol is on ledger charge of the accounting unit holding it.

(i) *Others.*

Measures to prevent sales of petrol in the black market by civil agencies are formulated by Provincial Governments concerned. I regret I am not in a position to say what steps the Provincial Governments have taken in this direction.

Statement in reply to parts (a) and (b) (i).

GALLONS

Months	Imports	Production	Military Releases
1945			
September	21,170,830	1,912,080	16,890,000
October	13,516,620	1,977,730	11,296,000
November	894,660	1,699,110	3,251,000
December	2,790,000	1,631,970	7,510,000

Months	Imports	Gallons Production	Military Release
<i>1946</i>			
January	8,658,519	1,757,700	7,679,000
February	13,030,503	2,175,320	5,846,000
March	12,034,850	1,705,224	5,762,000
April	13,623,325	2,236,560	3,860,000
May	3,957,572	1,539,408	4,199,000
June	11,871,464	2,070,286	4,801,000
July	8,261,635	1,831,607	3,777,000
August	13,378,559	1,551,399	2,755,000
Total	123,188,537	22,038,394	77,626,000

Statement in reply to part (b) (ii) and (iii)

THOUSANDS OF GALLONS

Provinces	Quarter ending Oct. 45	Qr. ending Jan. 46	Qr. ending Apl. 46	Qr. ending July. 46
1. Madras	1,771	1,982	2,303	2,714
2. Coorg	25	33	40	35
3. C. P. and Berar	284	294	401	428
4. Bombay	3,815	3,894	4,191	4,467
5. Sind	470	533	514	538
6. Baluchistan	150	165	172	199
7. N.-W. F. P.	293	324	345	330
8. Punjab	969	1,343	1,422	1,377
9. Delhi	402	423	446	436
10. Ajmer-Merwara	20	24	26	28
11. U. P.	1,057	1,376	1,611	1,745
12. Bihar	790	927	1,090	1,004
13. Orissa	108	140	173	164
14. Bengal	2,973	3,070	3,247	3,409
15. Assam	579	845	873	845
Total	13,706	15,37	16,914	17,719

TELEPHONE EXCHANGES ALLOCATED TO THE MILITARY.

86. THE HONOURABLE MR. G. S. MOTILAL: What was the number of telephone exchanges allocated to the military in the city of Bombay, Poona and Calcutta? How many of them have been released from military use? How many of them have been allocated to public?

THE HONOURABLE MR. A. R. NISHTAR: I lay a statement on the table of the House.

Statement

	Bombay	Poona	Calcutta
(i) Number of Private Branch Exchanges of Various sizes allocated to Military.	63	31	26
(ii) Number of Private Branch Exchanges of various sizes recovered up to the end of October '46	20	2	19
(iii) Number of Private Branch Exchanges of various sizes installed since April '46 for civil use including those recovered from the Military.	43		13

FOOD RATIONING AND THE BLACK MARKET

87. THE HONOURABLE MR. G. S. MOTILAL: (a) Are Government aware that the reduction in the quantity of ration of food has produced larger black market?

(b) Are they aware that licensed sellers are mostly selling articles of food in black market?

(c) Have any steps been taken to enquire how they are able to do it and what measures have been taken to stop it?

(d) When do Government propose to increase the quantity of the food ration to its previous level in each Province?

THE HONOURABLE SIR PHEROZE KHAREGAT: (a) & (b). Government have received no such reports.

(c) Does not arise.

(d) As soon as the supply position permits.

THE HONOURABLE MR. G. S. MOTILAL: Will Government make inquiries?

THE HONOURABLE SIR PHEROZE KHAREGAT: Yes, Sir; we have no objection to making inquiries.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: With regard to part (a) of the question, may I ask whether my Honourable friend the Secretary for Agriculture is personally aware of the fact that the domestic servants, being totally dissatisfied with the small ration that they get, do either procure food in the black market or compel their masters to do so?

THE HONOURABLE SIR PHEROZE KHAREGAT: I have no information on the point.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The Honourable Member has great capacity for closing his eyes to unpleasant facts.

THE HONOURABLE SIR S. K. ROY CHOWDHURY: Is the Honourable Member aware that the last Food Member gave a promise in this House that he would inquire into this matter and would take steps to increase the foodgrains rations of domestic servants?

THE HONOURABLE SIR PHEROZE KHAREGAT : Government are making every effort to increase the rations, but owing to the fact that we had a very poor harvest last time, it has not been possible to increase these rations so far.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Increase the rations of domestic servants only, who can be considered as manual labourers.

THE HONOURABLE SIR PHEROZE KHARGAT : I do not know what the position in that respect is.

THE HONOURABLE MR. G. S. MOTILAL : How are merchants able to sell foodgrains in the black market ?

(No answer.)

THE HONOURABLE MR. G. S. MOTILAL : Have Government instructed Provincial Governments also to take serious steps in regard to black-market selling by merchants ?

THE HONOURABLE SIR PHEROZE KHAREGAT : Yes, Sir ; Provincial Governments have been asked to use their utmost efforts to prevent black-marketing.

THE HONOURABLE MR. G. S. MOTILAL : Have they informed the Government of India of any particular efforts which they have made recently ?

THE HONOURABLE SIR PHEROZE KHAREGAT : I am afraid I must ask for notice of that question. I have not got the information ready at hand.

THE HONOURABLE MR. M. THIRUMALA ROW : Is the Honourable Member aware that the Madras Government, by increasing the price of paddy by Rs. 2 per maund, were able to procure 3 lakhs of tons of paddy ?

THE HONOURABLE SIR PHEROZE KHAREGAT : Yes, Sir. I do not remember the exact figure, but I am aware of the fact that they were able to procure a certain quantity of extra foodgrains.

TELEPHONE SERVICE IN BOMBAY

88. **THE HONOURABLE MR. G. S. MOTILAL :** (a) Are Government aware that the telephone service in Bombay has deteriorated and repairs are not attended to for a long time ?

(b) What steps do Government propose to take in this matter ?

THE HONOURABLE MR. A. R. NISHTAR : (a) Government are aware that the telephone service in Bombay is not up to the pre-war standard but every effort is being made to improve matters. The present deficiencies are a result of the war-time limitations such as lack of spares and replacements for worn equipment and the necessity for employing inexperienced and partially trained staff, from these it will take an appreciable time to recover. Repairs are attended to as promptly as possible and no reports of abnormal difficulties in this respect have been received.

(b) Overhauling of the exchange equipment has been taken up and worn parts are being replaced but difficulties are still being experienced in getting sufficient spares. Staff is also being trained. Orders for additional equipment for the extension of the Bombay exchanges have also been placed.

THE HONOURABLE MR. G. S. MOTILAL : Did Government take notice of what appeared in the papers : a prominent citizen of Bombay asked an operator what his name was, and was told : " My name is your father " ?

THE HONOURABLE MR. A. R. NISHTAR : Government has no information about it. But I may submit for the information of the Honourable Member that we have no particular machinery to trace the talks that take place between an operator and a person who has got a telephone.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : You have got it : you can tap conversations quite easily.

THE HONOURABLE MR. M. THIRUMALA ROW : Will the Honourable Member tell us what arrangements have been made to manufacture telephone equipment in Government's own workshops in India ?

THE HONOURABLE MR. A. R. NISHTAR : I want notice of this question.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN : May I ask, Sir, if the Government are aware that similar conditions exist in Madras also and there are many complaints about the telephone system ?

THE HONOURABLE MR. A. R. NISHTAR : The information sought to be conveyed by the supplementary question may be correct, but I have no direct information about it.

THE HONOURABLE MR. MTHIRUMALA ROW : Has the Honourable Member got experience of the telephone connections in Delhi ? You never get a connection.

THE HONOURABLE MR. A. R. NISHTAR : It is really unfortunate, Sir, I have already said that so far as Bombay is concerned, the position is not very satisfactory, and the same difficulty is experienced everywhere. But I have already explained the reasons for that difficulty and the Department is doing its best to overcome it.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN : Sir, may I ask Government if they will make inquiries in regard to the condition of the telephone system in Madras ?

THE HONOURABLE MR. A. R. NISHTAR : I have no objection. We shall certainly make inquiries.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : When Government try to improve the telephone system in Bombay, will they also pay some attention to what is going on in Calcutta where the telephone system during the last few years has gone from bad to worse ?

THE HONOURABLE MR. A. R. NISHTAR : I think this question is already engaging the attention of the Government.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Are Government aware that nowhere is the state of things so bad and the telephone system so inefficient as in Calcutta ?

THE HONOURABLE MR. A. R. NISHTAR : May be. I cannot say. I have never compared the position of the different Provinces and the different cities, but if the Honourable Member has got some data, he is entitled to form his own opinion.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I have my own personal experience.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : Will the Honourable Member take it from me, as a person coming from Calcutta, that that is a fact ?

THE HONOURABLE MR. A. R. NISHTAR : Well, the Honourable Member comes from Calcutta and he is entitled to form his own opinion about the Calcutta Exchange, but, so far as the comparative position between Calcutta and other places is concerned, I think he will agree with me that Government is not in a position to accept that he is entitled to form an opinion as to the comparative position between Calcutta and other places because he does not belong to all places.

THE HONOURABLE MR. S. K. ROY CHOWDHURY : You cannot get a telephone message or connection in Calcutta for days together even if you apply.

THE HONOURABLE MR. A. R. NISHTAR : May be, I do not contest it.

THE HONOURABLE SIR DAVID DEVADOSS : Will the Honourable Member be pleased to direct that more equipment is supplied to Madras, because when we apply for a telephone connection they say there is not enough equipment ? Will the Honourable Member kindly see that more equipment is supplied to Madras ?

THE HONOURABLE MR. A. R. NISHTAR : Government will look into it, Sir.

THE HONOURABLE MR. MTHIRUMALA ROW : Is it the policy of Government to wait till equipment from foreign countries is imported ? Will they take steps to manufacture these things in India ? This is a question which has been raised elsewhere.

THE HONOURABLE MR. A. R. NISHTAR : May I know where the question has been raised ?

THE HONOURABLE MR. M. THIRUMALA ROW : It was raised in the other House and the Secretary of your Department has said that sufficient arrangements have not been made to manufacture these sets in the Government workshops and that they were waiting for foreign manufacturers to send their goods.

THE HONOURABLE MR. A. R. NISHTAR : So far as this Government is concerned I can say that it will encourage every effort to manufacture these things in India.

INCOME-TAX PAYABLE BY HINDU ASSESSEES HOLDING JOINT PROPERTY

89. THE HONOURABLE MR. G. S. MOTILAL : Is it a fact that instructions were issued by the Central Board of Revenue more than six months ago that Hindu assesseees holding property jointly as tenants in common should not be assessed separately for income-tax and that non-Hindu joint holders of property holding as tenants in common are to be assessed separately for income-tax? If so, why this discrimination?

THE HONOURABLE SIR CYRIL JONES : The reply to the first part of the question is in the negative. On the other hand, the Central Board of Revenue issued a circular in March, 1945 that section 25A of the Income-tax Act which, on the partition of a Hindu joint family, requires the division of property in definite portions should not be construed in a manner which would make it impossible for a Hindu joint family to have its claim of disruption accepted.

The attention of the Honourable Member is invited to the provisions of section 9 (3) of the Income-tax Act which lays down that where property is owned by two or more *persons* and their respective shares are definite and ascertainable such persons will not be assessed collectively but in respect of their appropriate share. Where a Hindu undivided family owns joint property not partitioned by members, the Hindu undivided family is in itself a *person* under section 2 (9) of the Income-tax Act and a separate unit of assessment for the purposes of the Act. It cannot therefore be said in such a case that the property is owned by two or more *persons* within the meaning of section 9 (3) of the Act.

SHORT NOTICE QUESTION AND ANSWER

THE HONOURABLE THE PRESIDENT : Are Government prepared to answer the short notice question of the Honourable Mr. Thirumala Row?

THE HONOURABLE SIR CYRIL JONES : Yes, Sir.

ADVANCES FOR HOUSE BUILDING

90. THE HONOURABLE MR. M. THIRUMALA ROW : Will Government state whether the grant of house building advances admissible to the Government officers under Civil Account Code, Volume 1, was held in abeyance during the period of war? If so, when do Government propose to restore this concession, in view of the present acute shortage of houses?

THE HONOURABLE SIR CYRIL JONES : The grant of house-building advances was discontinued in 1937, *i.e.*, more than two years before the war. The question of reviving the concession has recently been raised and is under consideration.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meetings held on the 13th and 14th November, 1946, namely :—

A Bill to confer upon the Central Government certain powers in respect of foreigners.

A Bill to make certain provisions in relation to sentences and orders passed by Special Tribunals constituted under the Criminal Law Amendment Ordinance, 1943, on such Tribunals ceasing to function.

A Bill to restrict the opening and removal of branches by banking companies.

STATEMENTS, ETC., LAID ON THE TABLE

THE HONOURABLE MR. S. LALL (Labour Secretary) : Sir, I lay on the table copies of 13 *ad hoc* Reports * prepared by the Labour Investigation Committee.

RESERVE BANK OF INDIA (AMENDMENT) BILL

THE HONOURABLE SIR CYRIL JONES (Finance Secretary) : Sir, I move :

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

The purpose of, and the reasons for, this Bill, Sir, have been fully explained in the Statement of Objects and Reasons. The Reserve Bank are seriously perturbed at the new device referred to in this statement which has recently been practised in order to evade the prohibition embodied in section 31 of the Reserve Bank of India Act against the issue of bills of exchange payable to bearer on demand. The objections to the practice are given in the Statement of Objects and Reasons to which I might add another, namely, that this practice would go far towards defeating the purpose of the Government's demonetization of high denominational notes. The Reserve Bank has urged that prohibition of this practice is an urgent matter which cannot await the passing into law of a comprehensive Banking Bill. Special legislation has, therefore, been brought forward for this one single purpose, which I believe to be not only entirely non-controversial but generally recognised as necessary for the protection of the public against fraud and also as a matter of public policy to prevent the issue of instruments calculated to supplant the country's currency. I trust that this House will be prepared to accept the measure. Sir, I move.

The motion was adopted.

Clauses 2 and 3 were added to the Bill,

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR CYRIL JONES : Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The Motion was adopted.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) BILL

THE HONOURABLE MR. M. W. M. YEATTS (Industries and Supplies Secretary) : Sir, I beg to move :—

“That the Bill to provide for the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, certain commodities, as passed by the Legislative Assembly, be taken into consideration.”

During the war the Central Government entered the Provincial field and did so under cover of the Defence of India Act and Regulations. That cover passed on the 30th September. Before that date the Central Government studied the various topics in which it was operating controls in the Provincial field, selected those which it considered it was essential to continue, and dropped the rest. Parliamentary legislation gave this Legislature power to pass laws in regard to the chosen subjects

for a very limited period. Obviously if some controls were to continue at all, you could not have a gap. So the interval between the 30th September and now was covered by an Ordinance and the object of this Bill before us is to replace that Ordinance by an Act of this Legislature. A study of the measure itself will show you that this is not a question of a general extension of controls or indefinite continuance of this or that. It is an extremely emergent measure indeed. To begin with, we can only continue these powers for one year. If the Government feels they ought to go on after that, the Governor General has to make a declaration to that effect. If it was found that they should go on after that, then assuming the present Constitution, both Houses of Parliament would have to pass a Resolution to allow them to continue and they could only do that for one year at a time and they could not go beyond in any case 1951. This is rather like a hurdle race. One might say from one point of view that the limitations were excessive rather than that they were inadequate. The key word I think of the whole Bill is the word "essential", and this Bill does not relate to tobacco and cosmetics and this and that. It relates to things which really enter the life and working of the people. And what really is the basis of the Bill? I do not think I need comment on food, cloth, cotton textiles or on coal and what they mean; but there they are. In strict theory there is only one logical control and that is where the controlling authority takes the thing and dishes it out in appropriate quantities to each recipient; in other words, rationing. Rationing on an all-India basis applies to two things, newsprint—and that is not really typical—and the other is motor spirit. It has been done in the case of foodstuffs in the Province with which I have the honour to be associated myself. There you have had a very great extension of urban and rural rationing, a performance which I think, despite all the hard things said about the administration in India, will be a case for mingled admiration and wonder over a very considerable area. Now, that has been done there; but food rationing is not yet all-India. In the working of controls, we have to be practically-minded. We say "Article X. Its main conditions are these. It comes to us from such and such source. The people who know something about it are these, and the most practicable way of running it would be this and that". It is essentially empirical or pragmatic. We start a system going on and we watch how it works. There are a lot of hard things said about control and controllers. But I think we should never judge any big phenomenon by a purely local aspect of it. Human nature being what it is, you will always get what Shakespeare called "the man dressed in his little, brief authority" or what Dickens would have called the local Bumble. These are part of the trials that God sends upon us. But don't judge the objects of these controls by the occasional pinches they give us. The fundamental cause of control is that there is not enough to go round, and that is where this word "essential" comes in. It does not matter if there is not enough tobacco to go round. It is just too bad. But if you have not got enough of something that the people must have, and not by a long way, then in any country you will have the position that money will talk. Money will talk and it will talk all the time and it will have the last word. That is really the background of the control of essential commodities. You have to say "Are we prepared in a thing like food or cloth just to let the ordinary citizen take his chance?" I think the answer to that must be "No".

I do not want to keep the House, but there is just one last thing which occurred to me. These controls, as the very existence of this Bill shows, have an all-India aspect and that is an indication of the fact that the scarcity expresses itself on an all-India basis. The Bible tells us that ye are members one of another and the truth of that is borne in most forcibly on us in times of adversity. When we have provinces sending food to the South and Madras sending yarn elsewhere, I think the truth of that comes home to us. Controls are only an expression of that. Sir, I move.

THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS (East Bengal: Non-Muhammadan): Sir, first I want the Honourable Mover of the motion to clarify the words "limited period". Secondly, I want de-control of slack coal which is necessary for the purpose of brick manufacture.

[Rai Bahadur Satyendra Kumar Das]

Sir, during the last Budget session it was made clear that the Government was going to encourage the construction of private buildings in order to provide the labourers released from aerodromes and other war works. That being so, Sir, I do not see any harm if the Government be pleased to reconsider my prayer as to the decontrolment of the brick-burning coal, which is not necessary for steaming and other purposes, required for the industries as well as for their locomotives. Sir, this coal is nothing but slack coal which is hardly required for running power or electricity or anything for moving force. Sir, I move that this brick-burning coal at least be excluded from control. In these days of unemployment when people cannot find a job to eke out their existence, my submission is that the Government be pleased to reconsider this item of coal which is raised from collieries, de-control it and freely supply it to those brick manufacturers to encourage the construction of private buildings.

Sir, I move.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan): Mr. President, the system of controlling the distribution and sale of commodities was introduced during the war because of the shortage of supplies that existed then. For the same reason, it is desirable to continue control over certain commodities even now though the war is over. There can, therefore, be no objection to the principle of the Bill but while I think that the House would be willing to vest Government with the powers which it has asked for it will desire to have information with regard to their policy regarding the increased production of those commodities which are in short supply at the present time. I am not going to refer now to foodstuffs or paper, because these subjects have often received attention in this House. We have a debate once or twice a year on the food situation and we have therefore ample information with regard to what Government is trying to do to increase the production of foodstuffs. But we know very little about the efforts that are being made by them to increase the production of cotton textiles and iron and steel. Now so far as the cotton textiles are concerned I have read the report of the Khatau Committee, but no one knows how long Government will take to implement the programme recommended by the Committee, nor do we know at the present time whether that programme will be carried out in every Province. Notwithstanding the debate that took place in this House the other day with regard to the policy proposed to be followed in respect of this matter by the Madras Government, the Premier of Madras has come out with a statement re-affirming the policy laid down by his Government and his determination to stick to it. We have, therefore, a right to ask Government within what period they propose to increase the supply of cotton textiles to such an extent as to dispense with controls. It is true, as my Honourable friend, Mr. Yeatts, said that under the India (Central Government and Legislature) Act, 1946, the control can be continued for a maximum period of five years only but I submit that it ought to be the policy of the Government to act in such a way as to make the control unnecessary before that period expires, so that the difficulties that are experienced now might not have to be traced when the control is removed. We hear a great deal of black-marketing in connection with the sale of cloth, but notwithstanding this prices have been kept under reasonable control. If the supply of cotton textiles remains as limited as it is today, then though the black market will not exist when the control is withdrawn prices will certainly rise considerably and make it almost impossible for the poor man to obtain his requirements.

As regards iron and steel we were under the impression that during the war their production had increased. I think I shall be quite correct in saying that Government themselves fostered and strengthened this impression. There was a general belief, that India had advanced considerably in respect of the manufacture of iron and steel. I learnt therefore with great surprise from an article in the "Indian Economist" a few weeks ago that the production of both iron and steel was now wightly less than it was before the war. Perhaps, my Honourable friend Mr. Yeatts will be able to let us know how this has happened and what steps are to be taken by Government in order to increase the production of these things which will be much more in demand in future than they were before the war. Both the need,

of the ordinary people and the demands made by new industries will require a considerably increased production of iron and steel but if the industry concerned with their manufacture remains in its present condition I do not think that control over them for a limited period will do us any good at all.

Another point, Sir, that I should like to raise is connected with clause 3, sub-clause (1), of the Bill before us. Now this clause empowers the Central Government to issue instructions for maintaining or increasing the supplies of any essential commodity to the extent they consider necessary. Their object will be not to interfere unduly with trade and commerce. I am sure that my Honourable friend Mr. Yeatts knows that the rules made under the Defence of India Act which empower the Central Government to control the production, distribution and sale of certain commodities have been used in many instances in such a way as to injure vested interests. I think it ought to be the policy of the Government of India to see that the control over the sale of the controlled commodities is exercised in such a manner as not to interfere with the business of people already engaged in trading in those commodities. If it is necessary to open more shops, by all means bring new people in. But there is no reason why people who are already carrying on a business should be driven out of it. I hope therefore that my Honourable friend Mr. Yeatts will be able to give us an assurance that the Central Government will not allow such a policy to be pursued in the future.

Lastly, I should like to ask my Honourable friend what would be the period during which this law would remain in force in the first instance under the India (Central Government and Legislature) Act, 1946. This will depend on the date on which the Proclamation of Emergency ceased to have effect. The question is whether it ceased to have effect from the date on which it was withdrawn or from the date on which it ceased to operate altogether. In the first case, this Act will remain in force only till the 31st March, 1947, and in the other case, till the 30th September, 1947. I hope my Honourable friend will be able to clarify the situation in this respect.

I do not think I have anything more to say in respect of the provisions of this Bill. I support the principle of the Bill, and, generally speaking, I recognise the need for controlling the commodities mentioned in clause 2. But as I have already said, the power to control the sale of these commodities will by itself not be of any permanent use to the people; it ought to be the policy of the Government to see that before the controls are removed a state of things is brought into existence in which the public will be able to satisfy its needs in respect of these articles at least in the same way as it could before the war.

THE HONOURABLE MR. M. THIRUMALA ROW (Madras : Non-Muhammadan) : Mr. President, the necessity to extend the special powers by way of a Bill is obvious. The conditions under which people lived during the war are still continuing, and it is the duty of any Government to control all the productive sources of food and cloth and other necessities so that an equitable distribution of those necessities can be made amongst the people. Otherwise it is only the rich—as the Honourable Member said money can buy anything—who will be able to get the essential articles of life. It is our duty to support the measure until conditions in the country come to normal. But I do not envisage a time in the near future when conditions will come to normal when people can have enough food and clothing. The Bill seeks to provide for the continuance of these powers during a limited period.

With regard to the control on production of food, energetic measures have to be taken by the new Government for producing more food. India has been chronically a deficit country with regard to its food. As long as other countries continued to supply the deficit, we did not realise that we were so much in deficit as regards our food requirements. The moment war came, famine stared us in the face, and the terrible famine in Bengal was a warning to the Government of India that their complacent methods would not do hereafter. Even now, food production is a long-range plan and it has got to be tackled on a long-range basis. This Bill cannot tackle the problem at all. Still, the Government want to have some control over the production of various articles. But I am afraid this Bill does not arm the Government with necessary powers. They have started on their industrial planning. I want to quote

[Mr. M. Thirumala Row].

an example. They wanted to plan and control the vegetable ghee industry. With great gusto the previous Food Member announced that he was allowing the manufacture of ghee, to be allotted to several provinces. But I want to draw attention to how these controls were circumvented by a big business man of this place. The Madras Province has been allotted the manufacture of 100,000 tons of vegetable ghee, to be distributed amongst 7 factories. Now, an eighth man comes—rather sneaks into the province of Madras, to devour all the smaller fry. The capital of all the 7 companies together is Rs. 105 lakhs. The big man comes with some influence at the top and starts the industry with a capital of 100 lakhs. He is like the spider that spreads his web all over. He can easily swallow all the smaller fry that are being started with less capital. Does this Bill give authority to the Government of India to control the situation? Last time, when I put a number of questions to the previous Food Member, Sir Jwala Prasad Srivastava, he said that the Government of India had no power to control these industrialists who tried to spread their tentacles all over the country; you could simply refuse electricity, you could refuse an import licence, you could refuse capital issues. But the man has got enough capital; he does not require permission for capital issue. He has got engineers. He manufactures plant himself. He can go and dump it anywhere he pleases, even where it is not wanted. The Madras Government and the Central Government are unable to check the man. He goes and menaces the smaller manufacturers. Are you going to control such circumvention, such a plan to defeat the purposes of this Bill? I want the Honourable Member to clear my doubt. I want him to tell the House whether this Bill arms the Government of India with sufficient power to prevent any such unjust schemes.

Then, Sir, there is another point. They get hold of retired civilians and employ them in their firms. They try to take advantage of the influence which they have, A retired civilian is taken on as a director on a salary higher than that which he was getting before retirement and he with the influence of his recent past is able to manage things. I want you, Sir, without fear or favour to see that such unjust encroachment of big finance on the small industrialist is not permitted. Trusting the word of the Govt. of India and the Madras Government, people have invested in each company to the tune of 15 to 20 lakhs in 7 companies. What happens to all of them when one company with a crore of rupees starts producing cheaper than the manufacturers in the other cases? They will dump the market with cheaper stuff. One company comes in with a crore of capital. We have agitated about it in the Province. I do not know how the Madras Government say they are unable to effectively control this. They say they have not got the powers. Even the Central Government have said they have not got the powers unless they take some power with regard to industrial planning and tell people that they cannot start a factory without the previous permission of the Govt. of India. I want the Hon. Member to consider this aspect. If you allow one man to suppress the small industrialists in one province, this man will go to other provinces or some other man will go there and start factories by circumventing your own powers and rules and Acts. I want Government to effectively control such things with regard to production.

With regard to newsprint, you are now controlling supply and distribution. I do not know how far efforts are being made in the Planning Dept. or the Industries Dept. to investigate whether newsprint can be manufactured in this country. During the war I had occasion to go and spend some hours in the Industrial and Scientific Research Institute of the Government. They had started experiments to substitute iron gramophone pins with bamboo pins. They succeeded. They wanted to give greater tempo to the coir ropes which are used in the navy. For things that were wanted to be done during the war the Industrial Research Institute carried on research whether these things can be improved and manufactured in this country. I want the Govt. of India to instruct their scientists to see whether the grass that is available in the Himalayan ranges and in the U. P. for ordinary paper can also be used for the manufacture of newsprint. Sir, the question of newsprint is a very serious one. The richer man gets richer and the poorer man gets poorer. The man that gets a quota of 50,000 tons will devour the small man that has got a smaller quota, the moment control is removed, you are not able to supply. I will give you a practical instance. If you want to run a paper you must have at least a circulation

of 10,000 copies. But you allot $1\frac{1}{2}$ tons to some papers, 2 tons to some papers, and 5 tons to some papers. It gives 4,000 or 5,000 copies each. That means the concern has to run at a loss. What I want to impress on the Government is, let them take seriously the meaning of the word "production" and investigate if they can produce newsprint also and make this country independent of conditions elsewhere like Norway or Canada, who are now increasing their cost of newsprint phenomenally because there is a demand from our country and other countries.

These are the only two points I want to draw attention to. If the Government really want to show that a real change has come over the Govt. of India, that men of genuine public spirit and grit are controlling the Government, let them consider these things and let not a single man, however rich and influential he may think himself to be, and however much he may be hobnobbing and rubbing shoulders with the bigger people in the country, consider that he is bigger than the people and the interests of the public.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-official) : Sir, controls are a necessary evil. Personally I would like to see all controls removed. But, as matters stand at present, that is not possible. But I would ask the Government to see that the corruption which is rampant in this control business is removed. Not only corruption but all kinds of other evils are also there. I will give one or two instances. I do not want to take up the time of the House by going through many things. For instance, my own family doctor wanted some sugar. He sent his ration card to the man who distributes sugar and he said he had no sugar available. Then he was advised to have a police officer sent along with his servant. The servant again went and the same reply was given. The servant said to the man, "Do you know who is with me? He is the Head Constable of the place". Then the sugar was forthcoming. Then, Sir people have to wait in queues of 100 or 150 to 200 and what does the vendor or the licensee say? He says, "Wait till 9 O'Clock at night" I am not exaggerating. I am telling you the facts. They wait and then he measures the grain in a way and they have got to take what they are given. The stuff sometimes is full of grit, sand and all sorts of things. Though it is necessary to have controls I want Government to see that these evils are removed. Another thing that I want to mention is this. Why should there be control in regard to vegetables? In Kodaikanal where I live part of the year people raise vegetables and potatoes. The officer in charge of the Dept. says that one should sell it only at a certain price. That is not an evil in itself. But he also says he can only sell it to a licensee. That man makes a lot of money. He goes round and says, "Give me at this price". We will say the price fixed is X. He wants to buy at X—Y. What is the poor man to do who raises vegetables and potatoes? Why should you insist upon the man selling to the licensee only? The licensees are men of straw. They probably have got some influence with some clerk or officer and they cause a lot of annoyance to the people. These people are not allowed to send their own goods down to the plains. Suppose the price of potatoes is Rs. 0-4-0 a lb. in Kodaikanal. It is sold down below, within 50 miles, at Rs. 0-6-0 per lb. by the licensee, who is the only man who can take it down. Why should you insist upon these people selling only to the licensees? You may put a value upon the thing. You may say that potatoes or vegetables should be sold at a certain price. You may also add a certain percentage for transport costs. But why should you insist that these things should go through the licensee only. I would ask the Hon. Mr. Yeatts who knows Madras to see to this, especially with regard to vegetables and potatoes and other things grown in Kodaikanal and Ooty. People suffer greatly. I am speaking from experience. People have come and told me, "We have got things; we cannot send them down; we are told to sell them only to the licensee". Remove these licensees. You can say that he should sell only at a certain price. I do not mind that, because that applies to everybody. But free transport to different places like Madura and Dindigul should be allowed. I hope the Honourable Mr. Yeatts will see to this and instruct the Madras Government to remove the controls with regard to vegetables.

*THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras Muhammadan): Sir, I intervene in this debate only to make a few very brief observations. It cannot be gainsaid that so long as there is a shortage of supply and there is not enough to go round we have to submit to this control. It is, as my Honourable friend, Sir David Devadoss, has observed, a necessary evil to which we have got to reconcile ourselves. But, Sir, when you have control, as the previous speakers have said, you have to see that it accomplishes the object for which it is designed; you have to see that the control is effective. You have to see that control which has been introduced for the good of all the people of the country accomplishes the object for which it has been introduced, that the poor man gets his share of the essential commodities. But as the system is now worked, it is a matter for regret that after all the poor man in the country for whose benefit this has been specially introduced still fails to get his share of the essential commodities and that is on account of inefficient supervision that is exercised over these controls. There is corruption rampant in the country and black-market is growing every day. The Government cannot take things easy. It has got to devise some machinery by which this black-market is put down.

We have to submit to these controls, as I have already said, so long as there is not enough to go round. But we cannot accept this proposition that this control should go on indefinitely for years; and if this thing is not to go on indefinitely, the Government should take steps to see that the quantity of essential commodities is increased, that the production is increased, and really effective steps will have to be taken. I will just refer to the shortage in food. It is really surprising that most of us were not aware of the fact—at least so fully—until the war rudely brought it to our notice that a country like India where nearly three-fourths of the population are agriculturists, is deficient and has been deficient for more than a century and a half in its production of food. Since the war disclosed this deficiency, efforts have been made to find out what steps should be taken to make good this deficiency and there has been the Grow More Food Campaign for the last three or four years functioning; but we are yet to see how it has succeeded in adding to the production of food in this country. My humble submission is that the Government should not follow a *laissez faire* policy, but it should make earnest and determined efforts to see that more food is grown in the country and if necessary Government should also make it a rule that food crops should have precedence over money crops, that wherever any kind of cereals can be grown it should insist upon the owner of the land devoting a portion of it to the production of food, that all the land that anybody owns should not be cultivated with only money crops; that if a part of the land is suitable for foodstuffs, the owner should be compelled to see that some cereal suitable to the soil is produced from that land. My submission therefore is that side by side with the control that the Government is exercising it should make a real effort, a serious effort, to see that larger quantities of food are produced in our country.

THE HONOURABLE MR. J. M. B. GIBBONS (Bombay Chamber of Commerce): Mr. President, in general this Bill has my support. Though I dislike controls as much as anybody, I accept their necessity. The only point which I have in connection with this Bill is to wonder why a commodity like mica has been included in the scope of it. Commodities (i) to (vii) in clause 2 are all what you might call consumer commodities—those commodities which are consumed within the country, whereas, mica is, to the extent of possibly 90 per cent., exported outside India. Mica is a strategic mineral of vital importance during the time of war and that there should be some control over it is possibly a matter of national policy. But my point is that I wonder whether it is correct to lump a commodity like that with these other consumer commodities, because the intention is when these other consumer commodities are in great and plentiful supply, this Bill will be withdrawn. But there may even then be a case for the continuance of control on a vital mineral such as mica. That is my point. I wonder whether it is correct to include it in this Bill.

* Not corrected by the Honourable Member.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN (Madras : Non-Muhamadan) : Mr. President, Sir, as this is the first occasion when I speak in this Honourable House, I would, with your permission, Sir, like to thank my Honourable colleagues for throwing open the doors of this House to women and thus removing another obstacle to their enjoying equal rights of citizenship.

With regard to this Bill, Sir, I welcome it most heartily as a citizen who has had personal experience and knowledge of the conditions in our country which are making life very difficult indeed to people in general. During the war, we are all aware, that our people had been through a great deal of hardship and suffering due to economic conditions created by the war. We were eagerly hoping that conditions would improve in the country on the conclusion of the war. But unfortunately things are becoming more and more difficult and life is becoming harder and harder for poor people. Black-marketing is flourishing, making it easier for the rich to get more than they need and making it more difficult for the poor to get even their irreducible minimum requirements. It may be, that the reason for this—I say it with due respect to our pillars of the administration—is that our administrative machinery is antiquated and ineffective and there are also certain evils existing in the administration of our country. I am glad that the Honourable Member in charge of Industries and Supplies has admitted that the Government is aware of the defects in the machinery of our administration and that the existence of corruption in the Government Departments was clearly acknowledged by his Secretary only yesterday in the other House. But, Sir, mere admission of these defects is not sufficient. Government *must* make strenuous and earnest efforts to remove these defects and evils. It is only then that control can really be effective.

I believe, Sir, that control is absolutely necessary for essential commodities, particularly with regard to foodstuffs and textiles which are required by all classes of people. I am glad, therefore, that our National Government have given their prompt attention to this important matter and I congratulate them on bringing forward legislation to regularise control at the very first session of the Legislature after their assuming office.

Sir, I do not claim to be a politician or a legal expert and when I speak on Bills of this kind I do so with a certain amount of hesitation. I would say that I just think aloud of the doubts and fears or of the assurances that I have when I study a Bill of this kind. On this occasion, I am encouraged to give expression to my views because of the statement made by my Honourable friend, Dr. Matthai, in the other House that the Government are trying in the matter of control a process of vast experimentation and that every suggestion, complaint or criticism on the matter will be considered by the Government. When I speak today, Sir, I speak as one who has the utmost confidence in our National Government that they will do their very best for the welfare of our people. My views will be expressed here with the sole desire of making my humble contribution towards helping them in their great task and also, Sir, because I feel it is my duty as a woman to represent the difficulties of women to the Government—of course, I know many of my colleagues represent women as well in this House—but as a woman I think I can claim that I understand the needs of a housewife much more clearly than men do.

My Honourable friend, Mr. Yeatts, remarked that the Central Government had certain powers—if I heard him right—over the Provincial Governments during the war period and that those powers ceased to exist on the conclusion of the war, but the Honourable Member for Industries admitted in the other House that the economic conditions which arose from the situation created by the war still continue to exist. It rather worries me, Sir,—it causes me anxiety to know—how the Central Government is going to enforce all the sections of this Bill if it has not got sufficient authority to see that the Provincial Governments will carry out the different clauses of the Bill and also give due respect to the directions that the Central Government will give under section 5 of this Act. I think it would help not only this Honourable House but also the public in general to understand the policy of the Government if the Government would make it clear how they are going to co-operate with the provincial Governments in enforcing the sections of this Act.

[Mrs. Radha Bai Subbarayan]

I think, my Honourable friend, Mr. Yeatts, said that full rationing is not made on an all-India basis. I am quite aware of it but I think that it is certainly necessary for the Government to give their earnest consideration to the need for as much uniformity about rationing as is possible and also with regard to the commodities which the different Provinces think are necessary to be rationed. While I am on this subject of rationing, Sir, I would like to point out that when the Provincial Governments introduce rationing of a particular foodstuff they should also consider whether it is necessary to introduce rationing or control of its allied foodstuffs. I think I should make my point clear by giving an instance. In Madras we did not have rationing of sugar until this year and all that time there was no scarcity of sugar. Sugar, *jaggery*, which I think is called "gur" in these parts and "country sugar" which in Tamil is called "*nattu shakkara*", were available to all classes of people but now that rationing of sugar has been introduced, *jaggery* and "country sugar" have gone into the black market with the result that the poor people who are not used to white sugar are left in the lurch. I think this is a very important matter which needs careful attention of the Central Government. With regard to distribution also I would venture to make a suggestion to the Government : that they should, in consultation with the Provincial Governments, try to have distribution through Co-operative Societies. I have great faith in Co-operative Societies if they are run efficiently. Black marketing can be avoided if the assistance of Co-operative Societies is utilised more extensively and frequently.

Next, Sir, I shall be treading on rather delicate ground if I venture to say a few words on textiles, but I shall be failing in my duty if I do not warn this House that the women in my Province are undergoing acute anxiety with regard to textiles. The other day I refrained from speaking on the resolution brought forward by my Honourable friend, Sir Gopalaswami Ayyangar, because he did not recommend any definite policy. I yield to none in the desire to promote khadi. I myself have been a user of khadi for many, many years—more years than I should like to remember as it shows that I am rapidly getting old. (*Laughter.*) But, Sir, my point is that every man, woman and child should have sufficient clothing and that clothing should be available at a reasonable price—at a price which everybody in this country can afford. How that is to be done is not my concern. It is the concern of the Government but my duty is to place this point before the Government for their consideration. Yet I would take the liberty of making a suggestion. I feel, Sir, that the time has come when Government must give their earnest consideration to the principle of State ownership. I feel there is urgent need for the Government to take over the mills under their own management. Instead of having an elaborate machinery to exercise control over the production and distribution of textiles the best method of seeing that the needs of the people are met is by taking over the management of the mills. My Honourable friend, Mr. Thirumala Row, the other day rightly gave a moving picture of the conditions in mill areas, conditions under which the labourers live and work. It is an open secret that the magnates of the mill industry have made huge profits during the war, not only by what is known as "war profiteering" but also by cruel exploitation of labour. If profiteering and exploitation of labour are to be stopped it can only be done by State ownership. Also I do not see, Sir, why mill-owners should make large profits when people are suffering from want of cloth. I also wonder why, when Government raise loans at only 3 per cent. mill-owners should be permitted to make big dividends of 30 to 50 per cent ?

THE HONOURABLE MR. G. S. MOTILAL : To pay taxes.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN : And now that the Excess Profits Tax has been abolished, they have a wider scope for making larger dividends. I personally think that if the matter of State ownership is going to be a difficult problem, and requires a long time to accomplish, Government could in the meanwhile take steps to prevent excessive profiteering by the mill industry.

Then, Sir, I would like my Honourable friend to inform the House clearly in what manner the Central Government are going to enforce the different sub-sections of section 3 in the provinces, because even with my limited knowledge of the constitution I know that many of the subjects come under provincial administration. Take, for instance, sub-section (2) of section 3. How are they going to deal with them ?

All these are vital problems, in my opinion. Only the other day, an Honourable Member of the Government stated that a certain quantity of dehydrated potatoes were imported into this country, and in reply to a supplementary question why it was necessary to import the potatoes at an excessive price, he said, because there was scarcity of the commodity in this country. Why is there scarcity? There have been repeated reports among the public that potatoes grown in India have been rotting in certain places while there has been scarcity of potatoes in other places. There must be something wrong somewhere when there is unequal distribution of essential commodities in this country. As I said at the beginning of my speech, I make my remarks with the real goodwill and with a desire to help the Government, and I hope the Government will give sympathetic consideration to the views I have ventured to express. (*Applause.*)

THE HONOURABLE THE PRESIDENT : Mrs. Radhabai Subbarayan, we all welcome you to this House, and we are very glad to hear and very much impressed with the maiden speech which you have made today. You have spoken with much clarity and ability, and we trust that after the next election many eminent ladies—there are several in the field of politics who have already distinguished themselves—will join you in this House and add to the glory and lustre of this House. (*Applause.*)

As regards the subjects to which you have referred in your speech, they are all serious points and require very great consideration on the part of Government. I have not the slightest doubt that your observations and remarks, coming as they do from a seasoned and expert politician like yourself, will receive great attention and consideration from Government. (*Applause.*)

THE HONOURABLE MRS. RADHABAI SUBBARAYAN : I thank you very much, Sir.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR (Madras : Non-Muhammadan) : Sir, I rise to say only a few words on this Bill. I give my whole-hearted support to the principle of this Bill, and I cannot see what Government whether national or otherwise, could have done in circumstances such as we are placed in at the present moment, if they had not taken action of the kind they propose to take in this Bill. Control, Sir, has to be continued even after the war. The only thing that we have got to decide is how much of control we should have, in respect of how many commodities, and how far we should go in exercising that control.

The Honourable the Mover of the Bill referred to the fact that during war-time the Central Government did encroach on the provincial field of legislation and took control over spheres which properly would not be the spheres of the Central Government but were the spheres of the Provincial Governments. Now, Sir, with regard to the commodities that have been listed in clause 2 of this Bill, I desire to draw the attention of the House to the fact that, except perhaps for two or three items, the rest are all cases, which under a properly evolved post-war industrial policy, will have to come under some sort of central control. Cotton and woollen textiles, coal, iron and steel, I think, were amongst the industries listed in the statement on industrial policy which the previous Member for Planning published some time last year. What I wish to suggest in this connection is this. This particular Bill will be in force only for a very temporary period, and I suppose the Central Government will constantly be watching the situation and will try to relax and then remove controls over the items mentioned in clause 2 gradually. I suggest, Sir, that the Government should resort to removal only in respect of items which are not likely to come under a certain measure of permanent planning control in the future. I think it will be necessary for them to think hard before they remove controls altogether in respect of cotton and woollen textiles, coal, or iron and steel.

Now, with regard to those items which will become subjects of permanent planning in the future planning on an all-India basis, it is necessary for them to evolve machinery for control which will endure. My Honourable friend, Mrs. Subbarayan, on whose maiden speech, Sir, I should like to add my own congratulations to what you have already expressed, referred to the point mentioned by the Honourable Member for Industries and Supplies in the other House, namely, the unsuitability of the present administrative machinery for exercising the powers of control which, under legislation of this kind, have got to be vested in some kind of bureaucracy. That is one of the

[Sir N. Gopalaswami Ayanga:]

things which are facing not only this country but countries all over the world. The question of the recruitment of the proper personnel, their post-entry training, the manner in which they should assume the role of positive and dynamic helpers in industrial development—things of that sort have got to be very carefully thought out in connection with proper planning in the future. I suggest that, though they will now recruit machinery for exercising control over items of that sort merely for a temporary purpose, they should have this larger object in view in finding such machinery in respect of those items.

With regard to some of the questions which have been raised, I should like to refer first to the point that very largely the powers that are being taken in this Bill are powers which would be exercisable by the Provincial Governments. Now, there is one particular point, which is perhaps relevant to recent controversy, in respect of which, I think, there is no question of provincial jurisdiction. Take, for instance, the question of the proper distribution of cloth on an all-India basis. That necessarily involves the control of cloth produced in one province being made available in another province, and not elsewhere. It might involve the control of yarn produced in one province so as to make it available in another province and not elsewhere, and so on. That, Sir, under the Government of India Act as it stands today, is not within the provincial field, because, under section 297 of the Government of India Act, I think, no Provincial Government can legislate so as to prohibit or restrict the entry of commodities from or into another province. That, I think, is a power conferred only on the Central Government in virtue of this Parliamentary enabling legislation and that is proposed to be continued under this Bill. This point is very relevant to a recent controversy because, in the statement which the Prime Minister of Madras has issued to the press, to which my Honourable friend Pandit Kunzru made reference this morning, he has tried to answer it. One of the objections raised to his textile scheme for the Madras Province was that he contemplated the shutting out of the import of cloth, say, from Bombay or Mysore or any other area outside the Madras Province into the Madras Province, and his answer was that, at present, this distribution is effected on an all-India basis by the Central Government and cloth is being sent out to particular areas from other areas and he can now use this power, which is exercised through the Centre, for the purpose of shutting out cloth from coming into Madras from Bombay. He further said that the problem of the ability of the Provincial Governments to shut out such cloth in the future in order to help his own scheme would arise only during what he called the post-control period. That is to say, when the Government of India takes away this control on an all-India basis, it will be time for him to consider what the Madras Government or the Madras Province should do in order to shut out Bombay cloth or to prevent Madras yarn from going to Bombay or other province which may be in need. That is a matter which the Central Government have got to consider very seriously. I tried to make out the other day during the debate on my Resolution that the whole of the textile industry should come in for control on an all-India basis and we should take power here for the purpose of regulating the siting of this industry in different places, and even the distribution of the production of this industry as between different provinces in this country. A thing like that could be done only on an all-India basis. Of course, the Prime Minister of Madras thought he could in the meanwhile make some legislative adjustments in order to keep for Madras the power to over ride the provisions of section 297 of the Government of India Act. But that could be done, I submit, only by amending legislation in Parliament. He also talked of the Constituent Assembly taking up this matter and giving provinces the power to prohibit or restrict trade as between one province and another in the future. I should myself doubt very much whether any constituent assembly, speaking for all India, would easily vest power in particular provinces to act in the fashion he contemplates. With regard to this particular matter it would be interesting to know whether the orders which the Government of India have issued already as regards the allocation of spindleage could be brought under the provisions of this Bill. This Bill in clause 3 (2) (a) says that an order may provide for regulating, by licences, permits or otherwise, the production or manufacture of any essential commodity. I wonder if the orders which the Government of India have already issued and to which I hope they will stick could be interpreted as having been issued under this I am afraid in terms that order did not issue under any provision of this kind. But

where the Government of India have to see that the policy they have laid down is carried out, it is worth their consideration to try and bring it under a legislative enactment of this sort; and where a Provincial Government has demurred and wishes to act in a fashion which is contrary to the policy enunciated on an all-India basis, it will be up to the Central Government, apart from the section of the Government of India Act which I quoted the other day, to issue a direction under clause 5 of this Bill telling the Provincial Government what it should do to carry into execution in the province any order made by the Central Government.

Now, my Honourable friend, Mrs. Subbarayan, asked how these things were going to be enforced. These go into the legislative enactment and the directions are issued under the legislative enactment and if a Provincial Government does exercise its executive powers so as to conflict with the powers of the Central Government so far as the present Government of India Act goes, there is a provision even now,—section 126, I think—under which a direction could be given and enforced. It gives power, I think, to the Governor General in his discretion, to ask the Governor of the Province if necessary to see that the direction is implemented. I am not suggesting that a drastic step of that sort should be taken. I am sure that even the Madras Government would persuade itself to change its policy when it finds that an Interim National Government desires that the orders it has issued should be conformed to by a Congress Government in the Madras Province. I do not wish to say anything more, Sir, except that I certainly welcome and give my whole-hearted support to this Bill.

***THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN:** (United Provinces West: Muhammadan): Sir, I confine my remarks on this Bill to a particular point. I do consider that control is necessary and introduction of legislation of this kind is quite suitable. But I would very much like to know from my Honourable friend the Mover whether the Government have any intention of applying the provisions of this Bill, or the Ordinance which was in force, to themselves or it is only meant for other people besides the Government. What about the Disposals Department? Now, the Disposals Department is disposing of millions worth of these commodities; most of them new, and some of them second-hand. Does the Government consider that control of the articles sold to tenderers would be to the benefit of the public and the Government also or not? Government itself is encouraging black-marketing. As an instance, I ask "What about motor vehicles?" They had control prices over motor vehicles. How have they sold by auction and by tender? If Government cannot control its own hands in black-marketing, how can it go to the public and ask them to stop black-marketing. Prices of second-hand motor cars have gone up very high and I am sure that the Government auction and sale by tender is responsible for it. Besides motor vehicles, there are thousands and thousands of tons of eatables purchased by the United States Government and as a matter of fact military stock is being sold. Have the Government been able to see or intend to see in future that they reach the general public at a reasonable price, or while the Government is black-marketing, it will also allow the people who purchase from it to do the black-marketing? How articles are disposed of by the Disposals Department requires very very careful consideration by the Government and I confine myself and say nothing more on this except that every provision of this Bill or the Ordinance which is in force ought to be applied to the articles disposed of by the Disposals Department and if they contravene, the people responsible should be punished like an ordinary member of the public would be punished.

THE HONOURABLE MR. M. W. M. YEATTS: Sir, taking the points as I recall them, first slack coal. Coal, like most other commodities in general use, is a function in two variables, if I might say so. One, you have the articles itself and then you have the problem of taking it, movement; and one of the very big issues in coal is just this one of movement. Most of it comes from one corner of India; but it is used all over the country. People burn bricks in every corner of this country and they want slack coal, and that is why it is not really practicable in a control which is 50 per cent. movement if not more to leave out one basic thing. Slack coal cannot fly

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to the United Provinces. It has to go in a wagon like every kind of coal, and it goes in much the same way as other coal in rakes made up in the same siding or group of sidings. Although I appreciate the desire that the Honourable Member expressed for freer movement of this brick-burning coal, I do not think it is really a practicable thing to remove it from the control field. On the actual matter of giving coal for this purpose, I might say that we kept moving this coal throughout the monsoon against considerable difficulties, so that there should be at least some *in situ* on the spot when the brick burning season began.

The Honourable Pandit Kunzru raised, as is his habit, a great many very serious issues, going down to the root of the measure. On the actual life of this Bill, it is till the end of next September or the end of March. There is provision—the Honourable Member must have had it in mind—in the Government of India Act which seems to limit legislation of this kind to six months after the expiry of the Proclamation of Emergency. The actual text of the Parliamentary legislation under which we are operating says :

“The period mentioned is the period of one year beginning with the date on which the Proclamation of Emergency in force at the passing of this Act ceased to operate.”

It is not absolutely certain. I am not a legal pandit ; but so far as I can see, the period is one year, subject to the Council passing it ; after that Government will have to extend it by one year. Broadly speaking, what we have before us is a period of 18 months or 2 years in which Government would be able to study the development of production, the easing of trade channels, and so on—in regard to all those things which are the subject of this Bill. The actual technical date I am afraid I cannot give.

THE HONOURABLE PANDIT HIRADY NATH KUNZRU : Is this the view of the Legislative Department ?

THE HONOURABLE MR. M. W. M. YEATTS : It is not ; I am afraid I do not know. My own impression frankly when I came was that it was one year. There seems a certain obscurity and we shall get that cleared up positively. Standing here while you are eager to break up, I wanted to mention the point and just say in what stage my own ideas are. Production was another of the things mentioned. It is all fundamentally a production crisis. As the Honourable Pandit Kunzru has pointed out, this is a measure directed towards controls and there is the connected but much farther reaching issue of production. I shall not go into that at any length but a great deal has been done. We have had a textile plan, a Panel for newsprint for example, which was mentioned by a speaker, and many others. These are long range things. I may assure the House that in the matter of production, which is a specific object of this Bill, it is to enable us to make the best use of what we have in conditions of difficulty.

One point was mentioned about iron and steel and coal. It is correct. The capacity for producing steel in this country is now about $1\frac{1}{2}$ millions which is more than what it was before the war. But that is at the moment a theoretical capacity. The plant is there which can produce that steel. But we cannot pull that steel out of the plant. We can only get 900,000 and the real cause of that is coal. You can only use in making steel, coal of a particular coking point. The whole coal problem is one substantially of moving. Every month we perform, what described as Chairman of the Coalfields Committee, as a balancing act. We know that about $2\frac{1}{2}$ million tons of coal has to be moved about and also that the Railways can just about move that amount, and we have to distribute that amount over the country as well as we can. Now the steel works are big users of coal. It is no use looking at the whole production position in watertight compartments. You cannot separate coal from steel ; you cannot separate either of these from transportation and you cannot in turn separate transportation from coal because the trains run on coal. The Coalfields Committee brought out these and other points well. The railways are the biggest users, I think about 40 per cent. A lot of the coal they use is coking coal, but if they are to stop using that, we must give them other coal in place of it and that coal must be good for steam raising. We could not stop railways till the adjustments had been made for the whole life of the country lies on them.

Then one other thing which I think should be mentioned is that the genuine demand of the country for these things is very considerably greater than it was before the war. By "genuine" demand I just mean the number of citizens who here and there want these for perfectly proper purposes. The Coalfields Committee has also said that very thing, and it was impressed on me in this Department when I took over coal. There is one other point which my Honourable friend, Pandit Kunzru, raised, namely that of undue interference with trade, with which were linked things raised by other speakers like the Co-operative Societies and also the administration. As the Honourable Member in-charge of the Department said in the other place the country is under-administered, which is quite true. The amount of economic control now in view requires not only staff but training of such staff and all sorts of things which are necessary if you want to run economic control efficiently in a country of India's size with a quasi-federal constitution. One way of looking at the running of a control or at the administration for that matter is to compare it with a relay race. One chap starts off and then after the first quarter he hands the flag to the other and the other goes on for his stretch and so on. You cannot, sitting in Delhi, put your finger into an agraharam in South India. It is no use pretending you can, but if you can link up with yourself successor agencies which would take up the job like the runners in the relay race. Then you will get—not a perfect control—there is no such thing outside Utopia. But you have got something which is both reliable and is understood. The problem is how to strengthen what is in many parts a tenuous connecting link. This is at present under very close consideration.

With regard to the question of newsprint—

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Before he passes on to newsprint, will the Honourable Member be good enough to tell us whether the Government of India will issue instructions to the effect that persons already engaged in trading in a controlled commodity should not be driven out of it merely because of the existence of control over it.

THE HONOURABLE MR. M. W. M. YEATTS: I am glad my Honourable friend has mentioned the point. I had intended to comment on it but unfortunately I missed it. Actually the trend has been to criticise controls because of this very use of people formerly engaged in the trade concerned. All that I can say is to assure you that we have already a hornet's nest around us without bringing in more and we have not the slightest desire to push some people out and bring others in. We are not like engineers who can make a straight line cut across country but rather have to make use of every stream or channel, which will float us down to our objective—

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Will the Government of India have power under clause 3, sub-clause (1) to issue such instructions as will protect the rights of persons who are already engaged in trading in a controlled article?

THE HONOURABLE MR. M. W. M. YEATTS: They could certainly do so if that were considered necessary and under the Cotton Textile Control, of course, such provisions exist.

I come now to the points raised by my Honourable friend, Sir David Devadoss, about the control on Madras vegetables. I might mention that I do not know the details of the particular case referred to by him but taking it from a general aspect you cannot really have a control on prices without some degree of influence on distribution. That has been applied time and again and it may be that in that particular case the appearance of the licensee is the means of ensuring that distribution—at least so much—will go to a certain place.

There were some other matters raised about the need for growing more food. That, of course, is not really my field but I can assure you that much is being done in this direction and I do not think Honourable Members need have any doubts about it.

With regard to mica, it is a rather peculiar commodity. It has a great strategic value, as the Honourable Member stated, and that value exists also in peace. It was therefore felt in view of all these considerations that the powers should remain. There is in all acts, whether of mankind or of God,

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a distinction between taking a power and using it. Now if you have a power you need not use it, but if you have no power you cannot use it. That is the distinction and it applies to mica and various other things in this field.

Then I should like to say how pleased I was to see so fluent and charming a representative of the women of this country in this House and I wish I could speak as well as she. The Honourable Mrs. Subbarayan has given us quite a lot to think about. I have mentioned her point about Co-operative Societies. We should be glad to use them or any helpful agency. The second point about State ownership of textile mills takes us a long way and that is not a point on which any one would expect me to speak much now. One thing I would like to say on this matter of textiles, and that is that it is really a production problem. Probably I might say, standing here, that coal enters into textiles as into every thing else. But apart from that, I think it is in the power of the textile worker to add appreciably to the actual production of textiles at this moment. I do not mean, by working more hours than are prescribed; not at all. But I think that aspect of the problem is worth mentioning here.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN: Sir, may I interrupt the Honourable Member and ask a question? Is it not a fact that the mills are producing finer stuff which takes more time and labour for production and also which is wanted only by a few, and therefore the scarcity of the ordinary material which is used by the general public, particularly the poor, is becoming greater?

THE HONOURABLE MR. M. W. M. YEATTS: I think there are distinct restrictions on the number of picks and so on that go into cloth. There is a demand in the country for a certain proportion of what might be called fine cloth, but that proportion is very small. Basically you can take it that what are known as the coarser counts form a very large proportion of the total production. They are going on, and they could not really be appreciably affected by any such change. The proportion of the industry devoted to the coarser counts is very, very large.

I would now refer to the points raised by the Honourable Sir Gopalaswami Ayyangar and which came from the front bench here. This is a Bill with powers for a very limited period enabling Government, or at least giving a chance to Government to try to feed these important commodities in the proper directions and in proper amounts. Now, any long-range industrial plan by its very nature goes well beyond the field of this Bill. It would be a rather difficult point, I think, how far this Bill—which is the definite intention disclosed by the Honourable Member—could go outside that field on to a longer range plan. But it is correct that section 3(1) says “maintaining or increasing supplies,” and so on; and it is our intention to use that section in the best practicable fashion to enable us to meet our need, which is putting more material of the kind demanded where it is wanted.

I will not touch further on the points about recruitment which the Honourable Sir Gopalaswami Ayyangar dealt with so clearly, because they have been fully discussed, nor on his constitutional ones, because, as I said in the debate on his Resolution, that whole issue is in hand now.

Then, Sir, we had an assault on the disposals question. Now, Disposals, as I said once, is fair game, and I think sometimes it is unfair game too. The man who is dealing with Disposals has a most miserable job. If you are selling something, you would have specifications; you know what you are selling, and the fellow 2,000 miles away knows what he is buying. In Disposals, we do not declare the stuff, and it sometimes happens that the man who is buying does not know what he is buying and the man who is selling has not got a full description of the stuff he is selling. It is very difficult. But we do try to follow our own controls. It may be that sometimes an officer makes a slip, but we do apply our own controls. Motor cars are very dear now, but I do not blame that on Disposals. We do not control that. If we had control, my Honourable friend might get a better car.

THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: I only wanted the Honourable Member to consider and apply the system of disposals to the surplus stores of the military purchased from the United States Government. Do you control that stuff and the people who purchase it from you on the basis of tenders running some times into lakhs?

THE HONOURABLE MR. M. W. M. YEATTS: It is rather like this. There is the field of control which is always operative. Now and then you have specific things like prices. Take cloth, for instance. The prices we take are governed by our own prices. The Textile Commissioner has his own prices for corresponding materials. Then, if they are bought by X, then X comes under the general field of controls in respect of cotton textiles, which prevents him from doing this and that; and if he disposes of the stuff so as to come within the reach of any of the operative provisions, then he can be caught.

As Disposals we are really an agency to take a lot of stuff which one man no longer needs, and put it out into the country. But we are not a rationing body. We do not take one chair and hand it over there. We deal with several thousands of items. Whether it is picks and shovels, whether it is foodstuffs, whether engineering stores, and so on, we see what is the appropriate background of existing controls against which we operate, and we sell it within that; and then again, the buyer operates, in any of his subsequent activities, within that field of control.

That is all I have to say. I do not think there is anything more I can say.

THE HONOURABLE THE PRESIDENT: Motion made:—

“That the Bill to provide for the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, certain commodities, as passed by the Legislative Assembly, be taken into consideration.”

The Motion was adopted.

Clauses 2 to 17 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. M. W. M. YEATTS: Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The Motion was adopted.

ANNOUNCEMENT IN THE PAPERS OF THE DEFENCE POLICY OF THE COUNTRY

THE HONOURABLE MR. M. THIRUMALA ROW: Mr. President, I have got a small representation to make to you, Sir. In yesterday's papers an important statement has been issued by the Government of India on the defence policy of the country, namely, the nationalisation of the Army. When the Assembly is in session, when the Council is in session, and when the Honourable Member in-charge of the portfolio is a Member of this House, I think it is due to us that he should make the statement on the floor of this House before he gives it to the press. It is a very important change of policy. It is not merely an executive order. It is a matter in which the country has been interested for a long time. It is a welcome departure no doubt of policy. But we expect an Honourable Member of this House to make a statement before this House. We have really got something to offer by way of remarks on that—before he goes to the press or before the public is taken into confidence.

Another point. We would like to have a day allotted for the discussion of the food situation in the country. It is a thing which is engaging the minds of everybody and we owe it to our constituents that we must know how the food situation stands. We should not be left to read the debates in the other House or in the newspapers. The Food Secretary can function in the absence of the Food Member in this respect.

THE HONOURABLE THE PRESIDENT: As regards your latter request, we had three debates on this point in three different sessions. The whole question has been thoroughly thrashed out, not only in this House but in the other House also and I do not think anybody has to add anything to the full debate which has taken place.

THE HONOURABLE MR. M. THIRUMALA ROW: The food situation is changing every day. It is not constant.

THE HONOURABLE THE PRESIDENT: We have a very short time at our disposal. This House will have to adjourn *sine die* about the 20th of this month. So, I do not think that is possible.

[Mr. President]

As regards your other request, one of the distinguished members of this House has already been appointed President of that body, Sir Gopalaswami Ayyangar, and a committee has been appointed to consider the matter very carefully. I think it is impossible for Government to give any further information at this stage. The mere omission to make a statement in this House is not fatal to the appointment of the commission.

THE HONOURABLE MR. M. THIRUMALA ROW : I take it, Sir, that you have got your views in the matter. As representatives of the people, the House cannot be ignored by the Honourable Members who are to run the responsible Government in spirit.

THE HONOURABLE THE PRESIDENT : I do not think the House has been ignored.

THE HONOURABLE MR. M. THIRUMALA ROW : These are old ways and old methods are not to continue.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House) : I assure my Honourable friend over there that so far as the present Government is concerned it is prepared in every way to accommodate the Members of this House. We are all brothers and comrades and therefore there is nothing of that spirit which existed in the past so far as the Government and the Opposition are concerned. The Honourable Member who is in charge of the Defence Department is not here and therefore I cannot say what was the particular reason that made him not to make the statement here. But, if my information is correct, the statement was not made in the other House either. I am not so expert on the procedure of the Central Legislature as my Honourable friend is. But, with the little experience that I have got of Legislatures, I think that so far as statements are concerned, when they are made by a Member, they are not subject to discussion by the House. Therefore even if the statement had been made on the floor of the House, probably my Honourable friend, according to the practice and procedure of this House, would not have been within his rights to make comments here.

THE HONOURABLE MR. M. THIRUMALA ROW : Don't ignore this House.

THE HONOURABLE MR. A. R. NISHTAR : The only thing is that instead of reading it in the papers, this statement would have been read out in his presence by the Honourable Member in charge of the Department. But I assure him that there is no such thing as depriving the Members of any right. There is no such thing as keeping secret anything from the Honourable Members. We want the co-operation of the Members. We want to give them every opportunity to discuss matters as far as possible.

THE HONOURABLE THE PRESIDENT : I quite agree with the Leader of the House. I may point out also that many Commissions and Committees have been appointed by the Government without making any statement in this House.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at a Quarter to three of the Clock, the Honourable the President in the Chair.

DELHI SPECIAL POLICE ESTABLISHMENT BILL

THE HONOURABLE MR. A. E. PORTER (Home Secretary) : Sir, from the debate this morning it was abundantly clear that all sections of this House are anxious that there should be established or maintained as good a machinery as possible for keeping the administration clean. I am in the happy position, Sir, of presenting to the House a cog in the existing machinery which is small but I think important and which will fall out if the Bill which I propose, with your permission, to lay before the House for their consideration is not passed. The Bill, Sir, is one—

"to make provision for the constitution of a special police force for the Chief Commissioner's Province of Delhi for the investigation of certain offences committed in connection with matters concerning Departments of the Central Government, for the superintendence and administration of the said force and for the extension to other areas in British India of the powers and jurisdiction of members of the said force, in regard to the investigation of the said offences,"

as passed by the Legislative Assembly. During the war irregularities and corruption in connection particularly with contracts concerning the War Department reached a very serious stage and it became necessary for the War Department, as it was then called, in 1941 to take special measures for the investigation of allegations of corruption and matters of that kind. Later in 1943 formal legislation was promulgated under which a special police establishment was set up for the same purpose. With the lapsing of the Ordinance under which this special police establishment was set up at the end of September, it became necessary to take measures to continue that organisation in force and, on the recommendation of the Interim Government, His Excellency the Governor-General promulgated an Ordinance establishing a special police establishment for Delhi. This Ordinance will lapse at the end of March unless legislation is now passed to continue it in effect and the Bill which is now before the House is intended to continue in effect the Ordinance promulgated with effect from the 1st October this year.

The existing police force, Sir, is characterised by I think three principle features. In the first place, it is a police force which is under the control of the Central Government. That is provided in clauses 2 and 4 of the Bill which is now before Honourable Members. Secondly, it has been given authority to investigate not all criminal cases, but only criminal offences concerning matters relating to the Government of India's Departments and within this class only certain offences which are notified in that behalf. The existing notification, Sir, defines the offences which I might describe without particularising too definitely, as falling under the heads of bribery, corruption, criminal misappropriation, fraud, embezzlement and fabrication of documents with the intention of deceiving Government and profiting at Government's expense. The relevant provision in the present Bill in this respect is found in clause 3. The third feature which distinguishes this establishment is the fact that it is at present able to conduct its investigations and exercise its powers not only in the Delhi Province for which it was primarily constituted but also, with the consent of other Administrations and of other Provincial Governments, throughout the whole of India. That is provided for in clauses 5 and 6 of the Bill; and by negotiation with other Provincial Governments at present the force is empowered to conduct its investigations in all provinces with one exception.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Which is that exception ?

THE HONOURABLE MR. A. E. PORTER : Sind. The Province of Sind has refused to allow—

THE HONOURABLE THE PRESIDENT : Why has that Province been excluded ?

THE HONOURABLE MR. A. E. PORTER : Because it is only with the consent of the Province itself that the Central Government can empower its officers to operate in a Province. All the other Provinces have consented to allow this establishment to operate in their Provinces with the exception of Sind. There were other dissentients but they have yielded to our blandishments and we are not without hope that Sind also will yield to our blandishments.

THE HONOURABLE THE PRESIDENT : Why was special treatment given to Sind ?

THE HONOURABLE MR. M. THIRUMALA ROW : Sind is more honest and there is no corruption there.

THE HONOURABLE MR. A. E. PORTER : If I may explain, there is no power to the police authorities set up by the Central Government to operate in any Province except with the concurrence of that Province.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR : Where do you get that from ?

THE HONOURABLE MR. A. E. PORTER : That is in the Constitution Act. "Police" is a provincial subject and the rather peculiar form which this legislation has taken has been imposed upon us by limitation of the Constitution Act.

As I was saying, the Centre cannot force Provinces to allow their police force to operate in their provinces without their consent.

THE HONOURABLE THE PRESIDENT : That Government prefers Government to be robbed.

THE HONOURABLE MR. A. E. PORTER : That Government is not prepared, to allow our police force to investigate cases concernig the Central Government so far as that province is concerned.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Has it given any reasons for its refusal ?

THE HONOURABLE MR. A. E. PORTER : Possibly the Honourable Member would allow me to continue without interruption. I will finish within a few minutes and I have no doubt if he wishes to speak he will do so. But if you will permit, Sir, I should prefer not to be interrupted. I should like to hurry on and finish. It would probably be more convenient for the House if I summarised my comments on points raised by Honourable Members at the end.

As I said, Sir, with the exception of one Province all the other Provinces have agreed that the police establishment, which is now in existence, shall operate in their provinces and it is in fact operating in their provinces.

Now, Sir, I said that this is a small but important cog in the machine. It is not the only piece of machinery which this Government have in view. I am not without hope that I may be able to lay before this House a measure intended to make the law connected with bribery and corruption, particularly when committed by government servants, more effective and stringent; but that I cannot say now. The point I wish to make now is that this piece of machinery has proved useful during the war years and since and Government seeks to have it continued, because if it is not continued this one cog will fall out of the machinery.

It is an important piece of machinery and I have no doubt that the House, would like to know something of its achievements. It was established, Sir, as I said, in 1943. Up to the 30th September it had investigated 1020 cases. Of these cases it had sent up for trial 636 and recommended for departmental action 168. Amongst the cases sent up for trial, there are still 99 pending trial; and of the remainder 363 have resulted in convictions. Out of the 168 cases recommended for departmental action, 18 had been acquitted and 125 had been punished departmentally. It still has under investigation 68 cases. The amount of money involved in cases which it has investigated hitherto is some 20 crores of rupees. It has resulted, as I have indicated, in the punishment either by courts of law or departmentally, of 686 persons, of whom, I am sorry to say, 30 were gazetted officers and 16 were commissioned officers of the armed forces. Honourable Members may be interested to know the strength of the force. The present strength is about 270—rather less than 270 — of whom 64 are officers.

I think those figures, Sir, justify me in saying that this establishment is a valuable piece of machinery and that it is expedient to continue it. The House will remember that the conditions which encourage corruption do not cease when war comes to an end. There are large numbers of contracts to be terminated; for a very considerable time there will be shortages of food and consumer goods and also possibly of capital goods, and in the enforcement of controls for the procurement and distribution of these necessary articles, there is a very great scope for corruption on all hands. Finally, I say with great regret that there is no doubt that standards, if I may so put it, of public and service morality have suffered during the war, and there is no doubt that when corruption gets a lodgment in a country or in service, it is very difficult to eradicate. On all grounds therefore I am confident that the House will agree with me that there is ample justification for continuing this force which, as I have tried to show, has already considerable achievements to its credit.

Finally, Sir, there is one point which I should like to mention and that is that before the continuance of the Special Police Establishment was decided upon the Government of the day consulted the Standing Committee of the Legislature, on which this House is represented, and the general opinion they expressed towards the end of March was that it was desirable to continue it. In putting this Bill before you, therefore, Sir, I am supported by the recommendations to the Honourable Member of that time of the Standing Committee of the Legislature. I do not wish to say anything more at this stage.

Sir, I move.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan) : I was very surprised to learn from the Home Secretary that the Province of Sind had refused to allow the special police force, which has been established to investigate certain offences concerning Departments of the Central Government to exercise the powers to be conferred on it in that Province. If they had allowed this police to investigate the offences with which the Bill before us is concerned it would not have meant any diminution of provincial autonomy. It is obvious that the Bill which we are now considering is not designed to invade provincial autonomy and increase the powers of the Central Government at the expense of the Provinces. The matters with which the Bill deals are of a very special character and experience during the last six or seven years has shown that the ordinary police is unable to investigate them efficiently. A special police force is needed if the offenders are to be brought to book and corruption is to be brought under control. It is a matter, therefore, of great importance that the Government of Sind should be prevailed upon to allow the special police force to exercise its powers in the Province of Sind. I think that the Central Government may well in the interests of honest and efficient administration press the Sind Government to fall in line with the other provinces and allow this Act to be operative within the Province of Sind. I think that to keep quiet in a matter of this kind would be to allow provincial autonomy to run riot. Nobody wants to control the ordinary administration of Sind or of any other province, but in special matters like this, which, though they directly concern the Government of India, have a far-reaching influence on all provincial departments, to refuse to allow the agents of the Government of India to investigate certain crimes with a view to bringing the offenders to book is really to hamper the efficient administration of departments and impede the course of justice. I hope, therefore, that the Central Government in general and the Governor-General in particular will so use their powers as to persuade the Sind Government to change its opinion and allow the special police force to operate throughout Sind.

But for the fact that the Sind Government has refused to allow the police, for whose constitution we are providing, to work within Sind, I would not have taken part in this debate. But having done so, might I refer to another point which is of some public interest ? I would like to know whether the police force that has been brought into existence and which is to be continued by means of this Bill is composed of men drawn from one province only, or whether it is recruited from all provinces ? Delhi is under the Central Government, and I think it is right that in a province like this the police should be drawn from all parts of India, just as the members of the various Central Departments are. Many of those who have any knowledge of police administration in this province have, so far as I know, expressed the opinion that it would be an advantage to the province if the ordinary police force of this province were not drawn entirely from the Punjab. The experience and outlook of the members of the police forces in the other provinces would certainly not be less useful to Delhi than the experience and outlook of the Punjab police force. Perhaps the outlook of the men drawn from other parts of the country will be such as to broaden the horizon not merely of subordinate personnel but also of the police officers here. The matter, though it may seem to be a small one to the Home Secretary, seems to me to be rather important. We always wanted that the police force here, as everywhere else, should regard itself as the servant of the people. It has done so in no province hitherto, but if I may say so without casting any undeserved aspersion on the Punjab or on Delhi, that the police force in these provinces has had a special reputation for what might be called *zabardasti*. I hope, therefore, that if the special police force with which the Bill before us deals has been drawn from only one province, the Central Government will take this opportunity of leavening it with at least a small number of men drawn from other provinces whose experience and methods might be more in consonance with the times in which we are living.

***THE HONOURABLE SIR SOBHA SINGH** (Nominated Non-Official): Sir, I rise to give my full support to this Bill. The way in which this small police force has worked during the short time that it has been in existence goes to the credit of the

* Not corrected by the Honourable Member.

[Sir Sobha Singh.]

band of workers who have helped the public service and the people by rendering great services to the country. I hope that this small police force, the foundation of which was laid by the Defence of India Rules some time ago and is being laid by legislation today, will become the Scotland Yard of India. I request the Government that in recruiting this force they should keep in view certain educational qualifications.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Certainly.

THE HONOURABLE SIR SOBHA SINGH : They should prescribe educational qualifications even for the lowest member of the staff as well as for the higher ranks. Although officers are promoted through the system of the selection grade, their record should further be scrutinised either by the Federal Public Service Commission or by the Home Department themselves, so that the object for which this force is created is really achieved in the interests of the Government and the public.

Within the short time that this force has been in existence, I think this small band of workers have done wonderfully well. They have saved the public and the Government crores of rupees.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-Official) : Sir, I welcome this measure. Owing to the war, corruption has become the order of the day. In every department corruption prevails. The result is that people are suffering greatly. It is very difficult to put down corruption. The law is such that the man who gives the bribe and the man who receives it are both guilty, and the result is that nobody is willing to come forward and say, "I was asked to give a bribe" and so on. I should say that the man who gives the bribe is more guilty than the man who receives it, because that is the man who tempts. Well, so long as the law is such, it is very difficult to put down corruption, and this move on the part of the Government of India is very laudable and I welcome it.

I would only ask the Honourable the Home Secretary a few questions. He said the amount which came out of the investigation amounted to about Rs. 23 crores. May I know how many crores of rupees were really recovered by the Government from the people who received bribes or who cheated the Government? Another question is, how much does this police force cost? You must have some idea of the cost of this, because, if it is really a useful and beneficial force for stopping corruption, we should like to have it continued. The third point is this. I was not quite clear whether the offences which this police force will investigate relate only to the officers of the Central Government or also to officers of the Provincial Governments. I do not think the Honourable the Home Secretary has made that clear. Probably I have not studied the matter clearly. But to me it appears that this special force should be empowered not only to investigate offences connected with the officers of the Central Government who are working in the various Provinces but also officers of the Provincial Governments. In that case this force would do more good to the country. With these words, I have much pleasure in supporting the motion.

***THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal : Non-Muhammadan) :** Sir, I welcome this measure. I want to know from the Honourable the Home Secretary whether it is a fact that in some cases where reports have been made by the police force against certain individuals, steps have not been taken against those individuals through the influence of some Provincial Governments. I want to know whether that is a fact or not.

***THE HONOURABLE MR. V. V. KALIKAR : (Central Provinces : General) :** Sir, I give my full support to this Bill. A straight question was asked by my Honourable friend Pandit Kunzru of the Home Secretary as to the reasons why the Sind Government refused to take part in this matter. My Honourable friend Mr. Porter has not replied to that question. Is it the case of the Sind Government that corruption should go on undetected there? Why should they refuse to allow this force to investigate the offences committed in that province? I therefore want to know,

* Not corrected by the Honourable Member.

and I think the House is entitled to know, the reason why the Sind Government refused to accept investigation by the police force of the Central Government.

THE HONOURABLE SIR DAVID DEVADOSS : All the officers there are saints.

THE HONOURABLE MR. M. THIRUMALA ROW : Including the Ministry.

***THE HONOURABLE MR. V. V. KALIKAR :** The next point that occurs to my mind is this. My Honourable friend the Home Secretary has said about provincial autonomy. Nobody here in this House will say that the Central Government should make inroads on provincial autonomy. But the question is whether the Central Government should not issue directions to the Provincial Governments so far as these matters are concerned. If I remember aright, Sir, during the Bengal famine, the Central Government brought pressure on the Provincial Government to act according to the views of the Central Government. Why should not the Central Government even now bring pressure on the Sind Government to act according to their advice? Why should they not be asked to follow the directions issued by the Central Government? Under section 12 of the Constitution Act the Viceroy has got wide powers. If the section is properly interpreted, according to me the Viceroy can ask the Governor of the Province to bring the Provincial Government to the view of the Central Government. If the Viceroy takes interest in this matter I think the Sind Government will not be in a position to resist the direction of the Central Government. If the Central Government have not got powers they should bring pressure on the Viceroy to exercise his powers under section 12 of the Constitution Act. In order to have uniformity in all these provinces no exception should be made so far as Sind is concerned. I therefore want to know, Sir, the reasons why the Sind Government refused to act according to the instructions of the Central Government and whether the Central Government would bring pressure through the Viceroy on the Sind Government to act up to their directions.

THE HONOURABLE SIR N. GOPALASWAMI AYYANGAR (Madras : Non-Muhammadan) : May I, Sir, say a word in explanation of the action which apparently Government have taken in bringing forward the Bill in the terms they have done? I have just been looking into the provisions of the Government of India Act. They have had to do it in a very roundabout way. Ordinarily, Police is a provincial sphere. But there is an entry in the list of Federal subjects which enables the Central Legislature to extend the powers of the Police in any particular province to any other province. But the exercise of powers so extended under that particular item could not be made except with the consent of the Provincial Government. As the Bill stands it applies to Sind as much as to any other province. The Bill extends to the whole of British India. I think that one sentence in the Statement of Objects and Reasons has raised all this controversy. Government have pointed out that while all other Provincial Governments have consented to the exercise of those extended powers, Sind has not so far done so. Even if we are to pass the Bill as it is into law, there is nothing which prevents the powers being extended to Sind; only the exercise of those powers cannot be made in that Province without the consent of the Government of that Province. That, I believe, is the Government of India's difficulty, and explains why they have taken this roundabout course of creating a police force under the Provincial list of subjects in a centrally administered area like the Delhi Province and extending the powers of that police force under an entry in the Federal list of subjects to other provinces in British India. But so long as that entry in the Federal list is worded as it is, it is necessary that we should get the consent of the Provincial Government for the exercise of the power. Whether the Viceroy could put pressure on the Sind Government to agree is more than I can say. I am afraid, as the lists stand, Government have taken the only possible position they can under the Constitution Act.

THE HONOURABLE THE PRESIDENT : I would like you very kindly to throw some light on one point which was made out in your speech. I did not like to disturb you at that time as you said you wanted to go on with your speech. You have said that out of a number of cases which were suspected, some were put up for trial and some were departmentally inquired into. Will you kindly let us know why this discrimination was made?

*Not corrected by the Honourable Member

THE HONOURABLE MR. A. E. PORTER : Sir, at the outset I should like to express my appreciation of the measure of support which has been voiced for this proposal. I think I am right in saying that the House is unanimous in the opinion that the Special Police Force establishment should continue. I should like in my reply to the debate to deal first with questions concerning the existing police establishment. I am happy to be able to assure the Honourable the Leader of the Opposition that there is no intention of confining recruitment to this force to one particular province. I regret that I cannot give him the actual territorial origin of the members now constituting the force, but I can assure him that we have no intention whatever of rejecting any suitable officer whom we can obtain from a Province for this purpose. In fact, Sir, our difficulty is, if I may say so, exactly the opposite. It is not a question of the net we are throwing not being wide enough; the difficulty is that the fish are not prepared to come into the net: and far from the Punjab establishing a monopoly of appointments in this police force, my headache at the moment is whether I shall be able to retain such officers from the Punjab as we have already got, because the Punjab Government, in acceding to our request to concur in this legislation, entered a warning that we must not expect to get police officers from them.

The question which was raised by the Honourable Sir Sobha Singh is one which has not in fact come up—the establishment of a central investigation agency. It is an organisation which might, I think, very easily grow out of this force; but it is not a subject which has come up for consideration and decision at present.

So far as the methods of selection in obtaining officers are concerned, there again, as I have indicated, we have no officers of our own and an officer is virtually not of very much use to us unless he is trained and experienced. That naturally means that we have to go to the Provinces for our officers and we are therefore required to depend upon their concurrence and acquiescence in letting us have their officers. But I have no reason to believe that any officer who would be offered by a Province and accepted by us would fail in the qualifications which the Honourable Member thinks are necessary.

I am not able to give my Honourable friend Mr. Roy Chowdhury an answer to his question. I do not know of any case in which prosecution or other proceedings had been suggested by the special police establishment and obstructed or frustrated by the intervention of a Provincial Government. If he is in possession of any information to that effect, I should be very glad to look into the question and see what the facts are. You will remember, Sir, that the Home Department has taken on the responsibility for this force only from the beginning of October.

Turning now, Sir, to the question of Sind, I said when the Honourable the Leader of the Opposition raised the point in my first speech that I would prefer to deal with it later. Sind was one of three Provinces which had at first declined to permit this force to operate in its area.

THE HONOURABLE MR. V. V. KALIKAR : Which were the other two Provinces?

THE HONOURABLE MR. A. E. PORTER : The other two Provinces were Bombay and the Central Provinces. The reasons which they gave, Sir, were the same. They thought that offences of the type contemplated could equally well be investigated by their own police and of course that is the normal provision. If an investigation spills over into another Province, you can do one of two things. Either you can hand it over to the other Province for investigation, so far as that Province is concerned, by its own provincial police or you can get that Province to agree to your Province investigating it. The Sind Government was one which preferred handing over to their own police so far as the investigation took investigating officers into Sind. The other two Provinces have yielded to our blandishments and we are not without hope that the Sind Government will also yield subsequently.

But any suggestion of endeavouring to coerce the Sind Government would, I suggest, at this stage be out of consideration. I do not wish to pursue the

constitutional question any further except to remind the Honourable Mr. Kalikar that section 12 upon which he relies is not in force. Section 12 of the Act is a part of that Chapter of the Government of India Act which will come into effect only when or if the Federation is established. Federation has not been established and section 12 therefore does not operate. On this particular point I do not wish to elaborate upon the explanation given by my Honourable friend Sir Gopaldaswami Ayyangar. "Police", as he has indicated, is a subject falling within the exclusively Provincial List and the only provision by which police functions can be extended from one Province to another by the Central Government is one in these terms. It occurs in item 39 of List I which says :

"Extension of the powers and jurisdiction of members of a police force belonging to any part of British India to any area in another Governor's Province or Chief Commissioner's Province but not so as to enable the police of one part to exercise powers and jurisdiction elsewhere without the consent of the Government of the Province or the Chief Commissioner as the case may be";

and as my Honourable friend Sir Gopaldaswami Ayyangar lucidly explained that is the reason why we have been driven to the somewhat tortuous device embodied in this Bill. I may say, Sir, that the question of bringing pressure to bear upon the Sind Government need not arise unless we actually find that investigation into matters with which the special police establishment is concerned is actually being frustrated or obstructed by the fact that we have not got the power to operate in that Province. If or when such an occasion arose, at the risk of being accused of making a statement on a hypothetical issue, I should say that it would be most likely that the Government of India would use such powers of persuasion or pressure as are available to them in order to remove the difficulty which we should then feel. I hope, Sir, that this disposes of the question of Sind.

Now, Sir, I think perhaps I need not pursue Mr. Kalikar into his observations about directives to the Provinces. There is one fundamental and conclusive consideration in respect, for instance, of anything which was done by the Government of India before the 30th September of this year or before at any rate the 31st March and that is that during the time when the Proclamation under section 102 was in force by which the peace and tranquillity of India was declared to be threatened by war, if there were in fact directions issued to Bengal during the time of famine or to other Province, the authority for those directions can be sought in section 126A of the Constitution Act which applies only where there is a Proclamation declaring that peace, tranquillity or safety is threatened by war. I think this is a matter which is rather beside the point in dealing with this particular measure : but my Honourable friend Mr. Kalikar mentioned it and I think perhaps it is only fair to him that I should put my point of view to him in debate.

The Honourable Sir David Devadoss raised two or three questions. So far as the third and last is concerned, it is a fact that this measure concerns only matters which affect the departments of the Central Government. That is clearly stated in clause 3 which says :

"The Central Government may.....specify the offences or classes of offences committed in connection with matters concerning Departments of the Central Government which are to be investigated by the Delhi Special Police Establishment".

Of course, the question of extending it to the Provinces does not really arise in view of the fact that the investigation of offences and so on is a matter which is in the exclusive provincial list and it can only be extended if it is covered by entry 39 in List I.

As to the other point, Sir, the cost of the force, it is a point which I think, if I may say so, is very relevant. The force has cost us in round figures in 1941-42, Rs. 2 lakhs ; in 1942-43, Rs. 2.2 lakhs ; in 1943-44, Rs. 4.5 lakhs ; in 1944-45, Rs. 6.5 lakhs and in 1945-46, Rs. 8.5 lakhs. During the current year, the Budget provision is just over Rs. 10 lakhs. Now that is not a large sum to pay for an effort to clean up the administration and to establish or re-establish honesty and integrity in the conduct of business financially affecting the Central Government. The amount which hitherto has been imposed in fines on conviction totals Rs. 10.15 lakhs.

[Mr. A. E. Porter.]

Finally, Sir, there is one point in which you Sir, were particularly interested. I believe I have covered all the other points. I have explained why Sind has stood out and what the position is in that respect. It is not a question of giving Sind a preferential treatment; it is just that Sind is not prepared, like all other Provinces to give us a preferential treatment.

THE HONOURABLE THE PRESIDENT : The motion is :—

“ That the Bill to make provision for the constitution of a special police force for the China Commissioner's Province of Delhi for the investigation of certain offences committed in connection with matters concerning Departments of the Central Government, for the superintendence and administration of the said force and for the extension to other areas in British India of the powers and jurisdiction of members of the said force, in regard to the investigation of the said offences, as passed by the Legislative Assembly, be taken into consideration ”.

The question is that the motion be adopted.

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Clauses 5, 6 and 7 were added to the Bill.

Clause 1 was added to the Bill.

Title and Preamble were added to the Bill.

THE HONOURABLE MR. A. E. PORTER : Sir, I move :—

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

The Motion was adopted.

STATEMENT OF BUSINESS.

THE HONOURABLE THE PRESIDENT : Before I adjourn the House to Monday next I should like to know if the Leader of the House could throw some light on the course of business next week.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House) : Sir, so far as my information goes I understand that the last date fixed for business in the Legislative Assembly is the 18th when it is expected that some Bills will be forthcoming. Those Bills will be here on the 19th and shall be placed on the table of the House the same day. The only question is whether we shall be able to dispose of them on the 19th or not. If we can dispose of them on the 19th then probably we shall be able to finish on the 19th, otherwise the House may have to meet on the 20th, but I am not sure of that at present because it entirely depends upon the business conducted by the Lower House.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-official) : With your permission, may I suggest that the Bills which may be passed on Monday may be placed on the table on Tuesday ? We meet on Wednesday and these Bills may be taken up on that day.

THE HONOURABLE MR. A. R. NISHTAR : If they can be passed in time. They may not be passed in time to be laid on the table.

THE HONOURABLE SIR DAVID DEVADOSS : If they are passed very late say at 5 o'clock, then it will be difficult. I am not suggesting, nor am I anxious that we should sit on the 20th, but.....

THE HONOURABLE THE PRESIDENT : I understand that some Resolutions which were postponed the other day have got to be disposed of after the official business is done.

THE HONOURABLE SIR DAVID DEVADOSS : Any Bill passed on Monday can be placed on the table on Tuesday and if there are any Resolutions they can also be taken up on the 20th. That will be more convenient.

THE HONOURABLE THE PRESIDENT : But the Honourable Members may require time to consider those Bills.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan) : As President you have got the power to suspend the rules. I think we are all willing.

THE HONOURABLE SIR DAVID DEVADOSS : If the Bills are passed on Tuesday they can be taken up on Wednesday but I thought they could be passed on Monday and we could discuss them on Wednesday. That will give 24 hours to members of this House. You can now consult the members.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : You cannot consult them unless you have the Bills before us. I would like to ask my Honourable friend whether he proposes to give time for the discussion of the Hindu Marriage Bill about which some of us have already spoken to him. I thought when we spoke to him that he was quite agreeable to give us time for the discussion of the Bill and I hope that in allotting time for the future business of the House he will not forget this Bill.

THE HONOURABLE MR. A. R. NISHTAR : Well, Sir, it was suggested to me that I should find some time for that Bill but there are certain difficulties in the way of it because I am told that on the last non-official day a Resolution was moved and that the Honourable the mover of that Resolution probably would like to continue with that non-official business also before this non-official Bill is taken up. So if I have an assurance on this point that no other non-official business is coming then with a view to accommodate them if time is available, I shall be quite prepared to give some time for this particular Bill.

THE HONOURABLE SIR SOBHA SINGH : (Nominated Non-official) : I will withdraw my Resolution.

THE HONOURABLE MR. A. R. NISHTAR : Well, on the last day we shall try to find out some time for that.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Is it not possible to give us some time on the next day when the Council meets for a discussion of that Bill ?

THE HONOURABLE THE PRESIDENT : That is what I suggest : that on Monday it should be taken up as the first item.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I think it will be convenient to all of us and particularly to me.

THE HONOURABLE SIR DAVID DEVADOSS : If we all meet on Monday and Tuesday that will be better.

THE HONOURABLE MR. S. K. ROY CHOWDHURY (West Bengal : Non-Muhammadan) : The Bills which have already been passed by the Assembly and laid on the table may be taken up on the 19th as well as the Hindu Marriage Bill, and the Bills passed by the Assembly on the 18th may be laid on the table on the 19th and taken up on the 20th ; so that we meet on the 19th and the 20th and dispose of the business.

THE HONOURABLE THE PRESIDENT : Every one has a different proposal to make. The best thing is to leave the matter to the discretion of the Leader of the House.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : But I hope he will allow us to discuss the Hindu Marriage Bill on the next day on which the Council meets, whether it be the 18th or the 19th.

THE HONOURABLE MRS. RADHA BAI SUBBARAYAN (Madras : Non-Muhammadan) : I would like to submit that the Hindu Marriage Bill is a very short and simple one. I do not think it will take much time. If the Leader of the House and you would kindly allow it to be considered on Monday, I think it would help all the members of this House.

THE HONOURABLE THE PRESIDENT : That is what I suggested.

THE HONOURABLE MR. A. R. NISHTAR : I suggest a *via media*, and it is this, that instead of meeting on the 18th, we meet on the 19th. We have three Bills which have already been passed by the other House and which are to be considered by this House. They have been laid on the table of the House to day. We first of all discuss and dispose of the official Bills, and in the time left, we take up the non-official Bill. Those Bills which are passed by the other House on the 18th will be placed on the table of this House on the 19th. So far as the three official Bills which

[A. R. Nishtar.]

will be on the agenda on the 19th for disposal are concerned, I do not think they will take much time. We have to meet on the 19th in any case, because Honourable Members will want some time to study the Bills after they are laid on the table. So we have to meet on the 19th for this purpose. Why not meet on the 19th, instead of on the 18th? We will arrange for the laying of those Bills which are passed by the other House on the 18th on the table of this House on the 19th, and also for the disposal of those Bills which have already been placed on the table, and also for the disposal of the Sagotra Marriage Bill. The Bills which are laid on the table on the 19th will be taken up on the 20th for disposal. I think that would be the best arrangement.

STANDING COMMITTEE FOR THE COMMERCE DEPARTMENT.

THE HONOURABLE THE PRESIDENT: With reference to the announcement made by me on the 12th November, 1946, regarding nominations to certain Committees, I have to announce that the following Honourable Member has been nominated for election to serve on the Standing Committee to advise on subjects with which the Commerce Department is concerned—

The Honourable Hajee Syed Mohamed Hussain.

There is one candidate for one seat and I declare him duly elected.

STANDING COMMITTEE ON PILGRIMAGE TO THE HEJAZ.

THE HONOURABLE THE PRESIDENT: The following Honourable Member has been nominated for election to serve on the Standing Committee on Pilgrimage to the Hejaz—

The Honourable Mr. Keramat Ali.

As there is one candidate for one seat I declare him duly elected.

DEFENCE CONSULTATIVE COMMITTEE.

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

1. The Honourable Brigadier Sir S. Hissam-ud-din.
2. The Honourable Mr. Khurshid Ali Khan.
3. The Honourable Lieut. Colonel Sir Buta Singh.
4. The Honourable Mr. Hossain Imam.
5. The Honourable Pandit Hirday Nath Kunzru.
6. The Honourable Mr. V. V. Kalikar.
7. The Honourable Flight-Lt. Rup Chand.

There are 7 candidates for six seats and an election will be necessary. The date of election will be announced later.

The Council then adjourned till 11 A.M. on Tuesday, the 19th November, 1946.