

16th November 1944

**THE
LEGISLATIVE ASSEMBLY DEBATES**

Official Report

Volume V, 1944

(14th to 21st November 1944)

**TWENTY-FIRST SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1944**



LEGISLATIVE ASSEMBLY.

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Deputy President :

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Sardar SANT SINGH, M.L.A.

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LEGISLATIVE ASSEMBLY

Thursday, 16th November, 1944

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Sir Charles MacIvor Grant Ogilvie, C.S.I., C.B.E. (Secretary Defence Department).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS.

ADDITIONAL DUTY FOR PROGRAMME STAFF IN ALL-INDIA RADIO, DELHI.

452. *Sardar Sant Singh: Will the Honourable Member for Information and Broadcasting please state if it is a fact that Programme Staff in the All-India Radio, Delhi, are on duty from 10-30 A.M. to 5 P.M. daily? If so, is it a fact that the members of the staff are put on duty in addition to the daily duty and in continuation of the same from 5 P.M. to 1 A.M. in turn? If so, will the Honourable Member please state how he justifies continuous duty for 14½ hours? Will he consider the proposal of giving a member off day, whose turn faces from 5 P.M. to 1 A.M.

The Honourable Sir Sultan Ahmed: The programme staff of the Delhi Station of All India Radio, like members of other offices of the Government of India in Delhi, attend office from 10-30 A.M. to 6-00 P.M. daily except on Saturdays when their duty hours are from 10-30 A.M. to 1-30 P.M. Each member of the staff has to take, in addition, transmission duties for periods which range from 3½ hours to 7 hours once or twice a week. The question of affording relief to the staff has been under the consideration of Government for some time and extra staff for the purpose is now being provided.

Sardar Sant Singh: May I know from the Honourable Member if it is a fact that some members of the staff have to be on duty for 14½ hours?

The Honourable Sir Sultan Ahmed: I am not aware, but I will enquire.

Mr. Lalchand Navalrai: May I know from the Honourable Member if they are paid for the over-time work that they do at night?

The Honourable Sir Sultan Ahmed: I should like the Honourable Member to put a separate question on that, which I will reply. I have not got the information here.

INCREASE IN PAY AND ALLOWANCES OF BRITISH TROOPS.

453. *Sardar Sant Singh: (a) Will the War Secretary please state if it is a fact that large increases in pay and allowances of British troops have been made recently? If so, what are these increases?

(b) What is the percentage of these increases with the present total pay and allowances drawn by each rank?

(c) Which authority sanctioned these increases? Was the Government of India consulted in the matter? If so, was the increase agreed to by the Government of India?

(d) Who bears the increased cost—Government of India or His Majesty's Government?

(e) What is the total burden imposed on Indian finances by this increase?

(f) Why was not the Indian Legislature consulted in the matter?

(g) Do Government propose to represent to His Majesty's Government that British troops in India be replaced by Indian troops by recalling the latter from oversea services and sending the British troops to Italy and other places?

(h) Will the Government represent to His Majesty's Government that the additional cost of these increases should be borne by the British Exchequer on the ground that British troops in India are being retained mostly for Imperial

purposes rather than for the defence of India when Japanese menace to India is almost over?

Mr. C. M. Trivedi: (a) and (b). I would refer the Honourable Member to the reply given to part (a) of Mr. K. C. Neogy's starred question No. 92 on the 3rd November 1944.

(c), (d), (e) and (h). His Majesty's Government with whom, as the authority responsible for the British troops, the ultimate decision rests, sanctioned these increases. The views of the Government of India were communicated to, and considered by, His Majesty's Government and the final decision was taken after such consideration. I regret I am unable to disclose the recommendations made by the Government of India, but certain financial issues arising from His Majesty's Government's decision are engaging their attention in consultation with His Majesty's Government. I would add that the ground suggested in (h) is mistaken in fact.

(f) Because questions of this nature are always dealt with by the Executive Government.

(g) No, Sir.

Mr. T. S. Avinashilingam Chettiar: What is the answer to part (e)?

Mr. C. M. Trivedi: I have given the answer to part (e) along with (c), (d) and (h).

Mr. T. S. Avinashilingam Chettiar: Will the Honourable Member give the figure of increased burden on the Indian exchequer because of the increase of pay to British Troops in India?

Mr. C. M. Trivedi: I have said that certain financial issues arising from His Majesty's Government's decision are engaging the attention of Government, and until a decision is reached I cannot say what the burden on Indian revenue will be.

Mr. T. S. Avinashilingam Chettiar: May I take it that the question under consideration is as to what portion of the burden of increase is to be borne by the Indian exchequer and what portion by the British exchequer?

Mr. C. M. Trivedi: I think I have made my meaning clear by saying that certain financial issues arising from His Majesty's Government's decision are engaging attention of Government in consultation with His Majesty's Government. That must involve the question as to what extent the Government of India should bear the burden.

Mr. T. S. Avinashilingam Chettiar: May I know whether they have not already come to any decision as to what amount is to be borne by the Indian exchequer?

Mr. C. M. Trivedi: That question is engaging the attention of the Government of India.

Sardar Sant Singh: With regard to part (h) of the question, may I know if the Government of India will consider the question of paying the British troops in India only as much as His Majesty's Government are paying to the Indian troops serving overseas?

Mr. C. M. Trivedi: Will the Honourable Member repeat his question; I could not follow?

Sardar Sant Singh: I will explain. Indian troops are serving overseas and their cost, which is met by His Majesty's Government, is less than what the Indian exchequer has to bear on account of the British troops serving in India. There are two methods of adjusting this burden. One is to direct the Indian troops to come back to India so that the burden on the Indian revenue will be decreased, and the other is to pay the British troops in India only as much as our Indian troops are being paid overseas. May I know if the Government of India is considering that aspect of the question?

Mr. C. M. Trivedi: No, Sir.

Sardar Sant Singh: May I know why?

Mr. C. M. Trivedi: I will explain the position. During the last Budget discussion, the Honourable the Finance Member made a statement on this point. That statement runs thus:

"The distribution of the total forces available to the United Nations between the various theatres of war is governed entirely by operational needs and availability of shipping

The desirability, from various points of view, of bringing back to India the Indian troops at present serving in overseas theatres is fully realised and constantly borne in mind, but, as I have already stated, its feasibility is governed by the exigencies of the war situation as a whole."

I have nothing to add to that.

Sardar Sant Singh: I am not asking from the point of view of war operations. My question is entirely from the financial point of view. Why should the Indian tax-payer bear the additional cost when the same can be saved by bringing back the Indian troops to India and releasing the British troops who are at present serving in India?

Mr. C. M. Trivedi: Because the British troops are required for the local defence of India.

Mr. K. C. Neogy: May I know whether the Government of India have any voice in determining the number of Indian troops that may have to be sent overseas for operational purposes, and the number of British troops that may have to be stationed in India for these purposes?

Mr. C. M. Trivedi: Yes, Sir. The Government of India is consulted.

Mr. Hooseinbhoj A. Lalljee: If the British troops are here for the defence of India, what are the Indian troops in the United Kingdom for?

Mr. C. M. Trivedi: As I have already said, the distribution of the total forces available to the United Nations between the various theatres of war is governed entirely by operational needs and the availability of shipping.

Mr. Hooseinbhoj A. Lalljee: My question is, if the British troops are stationed in India for the protection of this country, for what purpose are the Indian troops serving outside India?

Mr. C. M. Trivedi: It is one war, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

BASIC PAY AND ALLOWANCES TO INDIAN AND BRITISH SOLDIERS.

454. *Sardar Sant Singh: Will the War Secretary please give the following information to the House:

(i) the basic pay which an Indian soldier received on the 1st October, 1939 and 1st October, 1944 and the basic pay which his British colleague received on the same dates;

(ii) the total sum of all allowances paid to each on these dates;

(iii) the basic pay which the various grades of Indian Officers received on the 1st October, 1939 and 1st October, 1944, and the same as was paid to their British colleagues on these dates; and

(iv) the total sum of all allowances paid to each of them on these dates?

Mr. C. M. Trivedi: Statements giving the required information have been laid on the table of the House.

STATEMENT IN REPLY TO PART (i).

Basic pay of B. O. Rs. enlisted on or after 26th October, 1925 and Indian soldiers on 1st October 1939 and 1st October, 1944.

Ranks	Indian Ranks		Ranks	British Ranks	
	Basic pay on 1st October 1939	Basic pay on 1st October 1944		Basic pay on 1st Octo- ber 1939	Basic pay on 1st Oc- tober 1944
	Rs. p. m.	Rs. p. m.		Rs. p. m.	Rs. p. m.
Subedar-Major . . .	*250 . . .	*250—15—310	W. O. I. . .	273 12	296 9
Subedar . . .	130—10—160	140—10—180	W. O. II. (R. Q. M. S.)	228 2	250 15
Jamadar . . .	75—5—100 . . .	80—5—105 . . .	S/Sergeant . . .	182 8	205 5
Havildar . . .	25 . . .	27 . . .	Sergeant . . .	126 14	159 11
Naik . . .	22 . . .	24 . . .	Corporal . . .	91 4	136 14
L/Naik . . .	18 . . .	20 . . .	L/Corporal . . .	74 2	125 8
Sepoy . . .	16 . . .	18 . . .	Private . . .	45 10	68 7

*Includes personal allowance at Rs. 50 per mensem.

STATEMENT IN REPLY TO PART (ii).
Total allowances received by Indian and British troops on 1st October 1939 and 1st October, 1944.

British Other Ranks		V. C. Os. and I. O. Rs.	
Ranks	On 1st October, 1939	On 1st October, 1939	On 1st October, 1944.
Ranks	Rs. p.m.	Rs. p.m.	Rs. p.m.
(i) Separation allowance.			
W. Os., S/Sgts. and Sgts.	5 10 0	18 0 0	0
L/Sgts. and Cpls.	8 7 0	18 0 0	0
L/Cpls. and Ptes.	11 4 0	18 0 0	0
NOTE.—Separation allowance is admissible in cases if separation is due to the exigencies of the service.			
(ii) Family Allowances			
All ranks, Wife	30	Wife	86
Each child up to a 10		Wife + 1 child	136
total of three		Wife + 2 children	
Each child above a 5		Each additional child	45
total of three.			
NOTE.—The allowance at the above rates is admissible if families are in India. In the case of families in U. K., the allowance is issuable at Home rates.			
(iii) Post-war credits—6d. per day (Rs. 11-6-0 per mensem) for each. B. O. R.			
NOTE.—Post-war credits will be issued on discharge after the war.			
(iv) State allotment at 6d. per diem.—The qualifying allotment made by soldiers before they are eligible for marriage allowance has been reduced by 6d. per diem (Rs. 11-6-0 p. m.) and is paid by the State.			

Ranks	On 1st October, 1939		On 1st October, 1944.	
	G. S./Profy. pay	Def. pay	Expt. pay	Batta Total
Major	..	..	20	16 36
Subedar	..	..	20	16 36
Jemadar	..	..	12	9 21
Def./Havildar				
On promotion	..	..	1	9 6 16
With 1 year's service as n.c.o.	..	..	1	9 6 16
With 2 years' service as n.c.o.	2	1	9	6 18 4 5
With 3 years' service as n.c.o.	2	1	9	6 18 6 5
Naik.				
On promotion	..	..	1	9 6 16
With 1 year's service as n.c.o.	..	..	1	9 6 16
With 2 years' service as n.c.o.	2	1	9	6 18 4 5
L./Naik	2-8	1	5	3 11-8 5 3
	(a)			(a)
Sowar/Sepoy				
On enrolment	..	..	1	5 3 9
After 6 months' service	..	..	1	5 3 9
After 1 year's service	2-8	1	5	3 11-8 3-8 5 3
				(a)

(a) With one year's service.

- NOTES.—1. Batta is admissible while Indian ranks are on field service.
2. Expatriation allowance is admissible when Indian ranks serve overseas.
3. Deferred pay is issued on discharge, retirement, etc., to I. O. Rs.

STATEMENT IN REPLY TO PART (iii).
Rates of basic pay of Indian Officers and of British Officers on 1st October, 1939 and 1st October, 1944.

	Indian Officers		British Officers			
	1st October 1939		1st October, 1944		1st October 1939	1st October 1944
	Single or married	Rs. p. m.	Single	Married	Rs. p. m.	Rs. p. m.
2/Lieut.	300	2/Lt.	370	450	2/Lt.	385
Lieutenant	350	Lieutenant	410	490	Lieutenant	435
Lt. after 3 years and 9 months' service	400	Lt. (3)	440	520	Lt. (3)	470
Captain	450	Lt. (6)	450	520	Lt. (7)	505
Capt. after 2 years' service as such	500	Captain	480	610	Captain	555
Capt. after 4 years' service as such	550	.....	500	630	Capt. (3)	580
Capt. after 6 years' service as such	600	Capt. after 3 years' paid service as such.	500	630	.....	580
Capt. after 8 years' service as such	650	Captain (11)	530	660	Captain (10)	655
Major	800	Captain (14)	620	750	Captain (16)	765
Lt.-Col.	1,000	Major	765	850	Major	915
		Major (22)	865	950	Major (22)	1,035
		Lt.-Col.	1,090	1,145	Lt.-Col.	1,225

STATEMENT IN REPLY TO PART (iv).
Rates of allowances admissible to Indian Officers and to British Officers on 1st October, 1939 and 1st October, 1944.

Indian Officers		British Officers			
1st Oct-ber, 1939 Messing Allow-ance.	1st Oct-ber, 1944 Spl. allow-ance to single Officers.	1st October, 1939		1st October, 1944	
Rs. p. m.	Rs. p. m.	Single	Married	W	W+1 W+2 Married.
2/Lieut.	20	Rs. p. m.	Rs. p. m.	Rs. p. m.	Rs. p. m.
Lieutenant	20	20	105	80	170
Lt. (3)	20	25	110	80	170
Lt. (6)	20	25	110	80	170
Capt.	20	25	116	80	170
Until completion of 11 years' service.		35	170	80	150
		35	170	80	150
		35	170	80	150
		40	190	80	150
		55	200	80	150
		75	225	80	150

NOTE.—Married Officers also received/receive Separation Allow-ance at the following rates when posted to stations where their families were/are not permitted to accompany them:—

	Rs. p. m.
2/Lt. and Lt.	40
Captain	50
Major	80
Major (22)	85
Lt.-Col.	120

NOTE.—1. Officers serving with I. A. received an I. A. allowance at the following rates:—

	Rs. p. m.
2/Lts. and Lts.	75
Cpts.	100
Majors and Lt.-Cols.	200

2. Married officers received a separation Allowance at the following rates when they were posted to stations where families were not permitted to accompany them:—

	Rs. p. m.
2/Lts. and Lts.	40
Captains	50
Majors	80
Majors (22)	85
Lt.-Cols.	120

NOTE.—1. Officers serving with I. A. receive an I. A. allow-ance at the following rates:—

	Rs. p. m.
2/Lts. and Lts.	75
Captains	100
Majors and Lt.-Cols.	200

(These are the rates for regular officers. E. C. Os. receive half these rates.)

2. Married officers of the British Service having one or more children receive a special allowance at the following rates when they are NOT serving with Indian Army:—

	Rs. p. m.
2/Lt.	40
Lieutenant	35
Captain	25

3. Married officers separated from their families receive the single lodging allowance at the above rates in addition to family allowance if Government accommodation is not provided.

4. Married officers living with their families receive Rs. 20 p. m. in addition to family allowance.

Sardar Sant Singh: May I ask the Honourable Member what was the proportion between the basic pay of Indian soldier and Indian officer, and British soldier and British officer in 1939, and what is the proportion today?

Mr. C. M. Trivedi: I think my Honourable friend will find all the information in the statements which I have laid on the table of the House today.

INCREASE IN PAY AND ALLOWANCES OF INDIAN TROOPS.

455. *Sardar Sant Singh: Will the War Secretary please state if any increase in the pay and allowances of Indian Soldiers and Officers have been made since the 4th September, 1939? If so, what are the scales of these increases?

Mr. C. M. Trivedi: The answer to the first part is in the affirmative. As regards the latter part, statements giving the required information have been laid on the table of the House.

Increases made in the pay and allowances of Indian Officers since the 4th September, 1939.

1. With effect from the 1st October 1940, an emergency allowance was sanctioned for Indian Officers serving in India at the following rates:—

	Rs. per mensem
2/Lieutenant	65
Lieutenant during the first 3 years and nine months' service as such	65
Lieutenant after 3 years and nine months' service as such	60
Captain until completion of 2 years' service as such	50

This allowance ceased to be admissible with effect from the 1st January 1942 consequent on the introduction of new rates of pay as indicated in paragraph 4 below.

2. Prior to the 1st October, 1941 Indian Officers holding appointments carrying additional or charge pay received additional or charge pay at two-thirds of the rates authorised for King's Commissioned Officers. From the said date they were allowed to draw additional or charge pay at the full rates.

3. In 1941 Indian Commissioned Officers were for the first time posted to staff appointments and the following rates of consolidated pay were then introduced for such officers:—

	Married or Single Rs. per mensem
G. S. O. I	1,350
G. S. O. II	1,000
G. S. O. III	700

4. With effect from the 1st January 1942 an increase was made in the regimental rates of pay and allowances for Indian Officers and separate rates were laid down for single officers and married Officers. The revised rates are as follows:—

	Single Rs. p. m.	Married Rs. p. m.
2/Lieutenant	370	450
Lieutenant	410	490
Lieutenant after 6 years' service	440	520
Captain	480	610
Captain after 11 years' service	530	660
Captain after 14 years' service	620	750
Major	765	850
Major after 22 years' service	865	950
Lieutenant-Colonel	1,090	1,145

Unmarried Indian Commissioned Officers were granted when not in receipt of expatriation allowance, a special allowance at the following rates in addition to the above rates:—

	Rs. per mensem
2/Lieutenant	35
Lieutenant	20
Captain until completion of 11 years' service	20

5. From the 1st January 1942 separate rates were also laid down for married Indian Commissioned Officers holding staff appointments. These were:—

	Rs. per mensem
G. S. O. I	1,510
G. S. O. II	1,130
G. S. O. III	830

6. With effect from the 1st December 1942, the following increased rates of pay were authorised for Indian Commissioned Officers:—

	Unmarried Rs. p. m.	Married Rs. p. m.
Lieutenant after 3 years' service	440	520
Captain after 3 years' paid service as such	500	630

7. In April 1943, the rates of corps pay for Indian Commissioned Officers serving in technical corps, e.g., I.E., R.I.A.S.C., I.A.O.C., I.E.M.E., etc., were increased to bring them to the level of K.C.Os. rates. The old and new rates are as follows:—

	Old rates Rs. p. m.	New rates Rs. p. m.
2nd Lieutenants and Lieutenants	40	45
Captains	60	70
Majors	100	115
Lieutenant-Colonels	130	160

The following increases in the pay and allowances of Indian soldiers (V.C.Os. and I.O.Rs.) have been made since the 4th September 1939:—

I. *Viceroy's Commissioned Officers*—

1940—

Batta
Expatriation allowance } Rates increased by Rs. 2 per mensem.

1944—

Scales of pay—Revised as shown in reply to part (i) of starred question No. 454 of 16th November, 1944.

Batta—Further increase by Rs. 3 per mensem.

II. *Indian Other Ranks*—

1940—

Batta
Expatriation allowance } Increased by Rs. 2 per mensem.

1942—

Basic pay—Increased by Rs. 2 per mensem.

Deferred pay—Increased by Rs. 2 per mensem.

Proficiency pay—Increased by Re. 1 per mensem after 6 months' service and Rs. 3-8-0 per mensem after 1 year's service.

Good service pay—Qualifying periods reduced from 2, 4 and 6 years to 1, 2, and 3 years; rates remaining the same.

1944—

S.P.P.—Sanctioned with effect from the 1st January 1944, Rs. 3 per mensem, after 6 months' service and Rs. 5 per mensem after 1 year's service.

Batta—Further increased by Rs. 3 per mensem.

Sardar Mangal Singh: May I know whether any extra allowance has been sanctioned for those who have earned gallantry awards, e.g., the Military Cross etc.

Mr. C. M. Trivedi: Certain monetary allowances are attached to these awards.

Sardar Mangal Singh: With effect from what date?

Mr. C. M. Trivedi: I would like to have notice of that question.

Sardar Sant Singh: Is the increase sanctioned to the pay of Indian soldiers from 4th September to date in the same proportion to the increase of allowances sanctioned to British troops in India by His Majesty's Government?

Mr. C. M. Trivedi: The Honourable Member will find this information from the statements laid on the table in reply to questions 454 and 455.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

PERSONS SELECTED FOR EMERGENCY COMMISSIONS.

456. ***Sardar Sant Singh:** Will the War Secretary please give the following information:

(a) the number of persons selected for Emergency Commission since the 1st September, 1939, till the 1st of October, 1944;

(b) the number of persons granted Commission during the above five years;

(c) the number of such officers (i) discharged, (ii) dismissed, (iii) cashiered, (iv) tried by Summary General Court Martial during this period; and (v) convicted and sentenced to various terms of imprisonment; and

(d) the number of appeals filed against the above punishments, and the number of appeals accepted by His Excellency the Commander-in-Chief and His Excellency the Governor General?

Mr. C. M. Trivedi: (a) This information is not readily available as selections during this period have been made by various authorities.

(b) 27,049.

(c) and (d). The information asked for by the Honourable Member is not readily available. It is being collected and will be laid on the table in due course.

ELIGIBILITY FOR CIVIL SERVICES OF DISMISSED ARMY OFFICERS.

†457. ***Sardar Sant Singh:** Will the Honourable the Home Member please state if the officers who had been dismissed or discharged from the army are eligible for civil services under the Government?

The Honourable Sir Francis Mudie: Army officers are either cashiered or dismissed. They are never discharged. There are no rules governing the re-employment of dismissed Army officers by a civil department; normally they would not be so employed.

DETENTION OF MR. MADHAO SHRIPAD GOKHALE.

458. ***Mr. Govind V. Deshmukh:** Will the Honourable the Home Member please state:

(a) if one Mr. Madhao Shripad Gokhale, M.Sc., for some time in the service of the Imperial Chemical Industries and then for some time in the Salt-Petre Factory at Karachi, was arrested on the 26th March 1944 by the Amraoti (Berar) Police and is at present under detention under orders of the Central Government;

(b) the grounds for his detention;

(c) the place where he is detained;

(d) whether any interviews with him are allowed or would be allowed to his brother and sister; if not, why not;

(e) if any application was made to get him examined by a doctor for the medical fitness to revive an insurance policy which had lapsed, and if it was rejected; if so, why; and

(f) if the Government at any time intend to put him on trial?

The Honourable Sir Francis Mudie: (a) and (e). The Honourable Member is referred to the reply which I gave to Question No. 293 on the 13th November 1944.

(b), (c), (d) and (f). Do not arise as Mr. Gokhale has been released.

Mr. Govind V. Deshmukh: When was he released?

The Honourable Sir Francis Mudie: A short time ago.

INCREASE IN PAY AND ALLOWANCES OF BRITISH TROOPS.

459. ***Mr. Govind V. Deshmukh:** Will the War Secretary please state:

(a) if it is a fact that His Majesty's Government has increased the pay of the British soldiers and officers;

(b) whether the Government of India will have to bear this extra burden in respect of the British regiments and British officers in the Indian Army; and

(c) whether the Government of India at the time of demobilisation of Defence services will Indianise the Army in such a way and to such an extent that it will dispense with the British soldiers wholly and British officers considerably?

Mr. C. M. Trivedi: (a) and (b). The attention of the Honourable Member is drawn to the replies given to parts (a) and (b) of Mr. K. C. Neogy's starred question No. 92 on the 3rd November 1944.

(c) This is one of the matters which is engaging the active attention of Government.

Mr. Govind V. Deshmukh: Since when has this matter been engaging the attention of the Government?

† Answer to this question laid on the table, the questioner having exhausted his quota

Mr. C. M. Trivedi: For some time.

Mr. Govind V. Deshmukh: What period?

Mr. C. M. Trivedi: I should say for about 8 to 10 months.

Mr. Govind V. Deshmukh: Has any progress been made?

Mr. C. M. Trivedi: Some progress.

Mr. Govind V. Deshmukh: To what extent?

Mr. C. M. Trivedi: I am unable to define the extent of the progress.

Mr. Hoosainbhoy A. Laljee: How long will it take to finish deliberations?

Mr. C. M. Trivedi: They will be finished as soon as it is possible to finish them.

POST-WAR PLANS FOR HANDLOOM INDUSTRY.

460. *Prof. N. G. Ranga: Will the Honourable Member for Planning and Development be pleased to state:

(a) if Government have any post-war plans for protecting and developing handloom weaving industry;

(b) if their post-war planning includes this industry also, if so, what steps they are taking or propose to take to associate the representation of handloom weavers with this Department to develop their plans?

The Honourable Sir Ardeshir Dalal: (a) and (b). I invite the attention of the Honourable Member to para. 5 at page 25 of the Second Report on Reconstruction Planning. The question of the protection and development of the handloom industry will be taken up in consultation with the Provinces. Attention is also invited to the Honourable the Commerce Member's reply to question No. 406 by Prof. Ranga.

Dr. Sir Zia Uddin Ahmad: As regards (b) of this question, may I know whether the Honourable Member is associating the representatives of the handloom industries in some form or other?

The Honourable Sir Ardeshir Dalal: The method and the organisation for working this out has not yet been devised. It is to be done by the Provinces first.

MEALS OF INDIAN TROOPS.

461. *Mr. K. S. Gupta: (a) Will the War Secretary please state if it is a fact that Indian troops are given two meals a day? If so, what are the times at which each meal is served? If the first meal is in the morning and second meal is in the evening, is not the interval between the two meals very long?

(b) When is the third meal to be universally adopted?

(c) Is it not a fact that British troops in India are served five meals a day? If so, what are the hours at which each meal is served? When was the fifth meal introduced for the British troops?

(d) What does each meal contain for (i) British, and (ii) Indian troops?

(e) What would be the total cost per day per head for food in the case of (i) a British soldier, and (ii) an Indian sepoy?

Mr. C. M. Trivedi: (a) Hitherto Indian troops' daily rations have been divided into two meals. Times for meals are left to the discretion of units, but usually they are morning and evening. It has, however, been recognised that division of daily rations into three meals would be beneficial to health.

(b) Instructions have already been issued to encourage three meals a day to all Indian troops, but it is not the intention to force this on men who have been accustomed to two meals a day all their lives.

(c) No, Sir. British troops have only three meals a day, which are served in the morning, afternoon and evening.

(d) There is no fixed composition, which is left to the discretion of units.

(e) (i) British Soldier Rs. 1-5-0 per head per day.

(ii) Indian Sepoy Rs. 0-15-0 per head per day.

REMOVAL OF MR. R. N. DEY FROM INDIAN CIVIL SERVICE.

462. *Mr. Badri Dutt Pande: (a) Will the Honourable the Home Member be pleased to state why Mr. R. N. Dey, a Magistrate and Collector in the United Provinces (on leave) has been removed from the Indian Civil Service?

- (b) What were the charges against him that led to his removal?
 (c) How many years service was at his credit?
 (d) Is he entitled to any pension or not?

The Honourable Sir Francis Mudie: (a) and (b). It would not be in the public interest to disclose the information. Action was taken against Mr. Dey by the Government of the United Provinces.

(c) 19 years.

(d) Mr. Dey has, with the sanction of the Secretary of State, been granted a pension of Rs. 8,320 per annum subject to a minimum of £780 per annum.

Mr. Badri Dutt Pande: Is it a fact that this officer has been punished for holding independent opinions and not for any administrative fault?

The Honourable Sir Francis Mudie: That comes under part (b) of the question and I have already said that it is not in the public interest to disclose the reasons.

Sardar Sant Singh: May I know the meaning of "public interest"? Are the public not interested in the "public interest"? Does the word "public" mean the bureaucracy or does it mean the taxpayer of the country?

(No answer.)

Mr. President (The Honourable Sir Abdur Rahim): Next question.

RE-EMPLOYMENT OF DISMISSED I. C. S. OFFICERS.

†463. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable the Home Member please state how many dismissed I.C.S. officers have been employed by the Government of India during the past five years, and under what circumstances?

(b) Was the permission of the Secretary of State for India obtained prior to the re-employment of these officers? If not, why not?

The Honourable Sir Francis Mudie: (a) No dismissed Indian Civil Service officer has been employed by the Government of India during the past 5 years. I may add however for my Honourable friend's information that an Indian Civil Service officer who was removed from service was recently appointed for a period of 6 months as a Deputy Secretary in the Department of Information and Broadcasting.

(b) Does not arise.

NEW STANDARD TIME.

464. ***Mr. Badri Dutt Pande:** (a) Will the Honourable the Home Member be pleased to state as to whether the new standard time was introduced for military exigencies?

(b) What was its public utility?

(c) Is there any necessity for maintaining it any longer?

The Honourable Sir Francis Mudie: (a), (b) and (c). The reasons for the introduction of the new standard time and the advantages to be gained from it have been stated in reply to the question No. 189 put by Qazi Muhammad Ahmad Kazmi on the same subject on the 25th February 1943 and in the Press note issued on the 4th April 1943, a copy of which is placed on the table of the House. Those considerations still apply and Government see no reason to make any change in the decision announced in the Press Note.

PRESS NOTE

In July last year the Government of India decided that with effect from the midnight of the 31st August-1st September, 1942, the Indian Standard Time throughout India should be 6½ instead of 5½ hours ahead of Greenwich Mean Time. The position has now been re-examined with a view to deciding whether any change in the existing Indian Standard Time should be made during the summer months. The continuance of the existing Standard Time will contribute to the avoidance of overlap of factory demands for electric power with the demands of street lighting and thus to release of more power for war purposes. It will also result in a not inconsiderable saving of railway wagons required for transport of coal consumed by electric power stations. Moreover there are practical

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

advantages in avoiding the dislocation inseparable from periodical changes. The Government of India recognise the present Indian Standard Time involves inconvenience to the areas lying west of meridian $82\frac{1}{2}^{\circ}\text{E}$ but they consider that if suitable adjustments of business, court and office hours are made this inconvenience can be considerably reduced. They have accordingly decided that the existing Indian Standard Time $6\frac{1}{2}$ hours ahead of Greenwich Mean Time should remain unchanged for the duration of the war.

HOME DEPARTMENT;
New Delhi, April 4, 1943.

Mr. Badri Dutt Pande: Isn't it a fact that this time is very inconvenient to all people and will Government see to removing this time and reverting to the old standard time?

The Honourable Sir Francis Mudie: I have answered this question in my reference to the press note attached to my answer.

Mr. Lalchand Navalrai: Has this change of time been to the good of the public and in the interests of Government?

The Honourable Sir Francis Mudie: The object, as set out in the press note, is to save coal.

DETENTION OF MR. MADHAO SHRIPAD GOKHALE.

465. *Mr. Badri Dutt Pande: (a) Has the Honourable the Home Member seen the letter of Mr. V. S. Gokhale of Amraoti published in the *Hindustan Times* of October, 26, 1944, regarding the whereabouts of his brother Mr. Madhao Shripad Gokhale, M.Sc., who was arrested on March 26, 1944?

(b) Why was he arrested?

(c) What were the charges against him, and have they been communicated to him?

(d) Has he got a right of reply and representation by a lawyer?

(e) Why has he been denied the ordinary privilege of an interview?

The Honourable Sir Francis Mudie: (a) Yes.

(b) I am afraid that I am unable for security reasons to give the Honourable Member the information asked for.

(c) to (e). The Honourable Member is referred to the reply which I gave to Question No. 293 on the 13th November, 1944.

SCHEMES SUBMITTED BY LAXAMINARAYAN INSTITUTE OF TECHNOLOGY, NAGPUR.

466. *Mr. Govind V. Deshmukh: Will the Honourable Member for Planning and Development please state:

(a) if the Laxaminarayan Institute of Technology of Nagpur submitted schemes of research for consideration of the Board of Scientific and Industrial Research, Government of India, through the Central Provinces Provincial Scientific and Industrial Research Committee, and

(b) what these schemes are, and which, if any of these have been approved and financed by the Government, and what the reasons are for either rejecting or not financing the other schemes?

The Honourable Sir Ardeshir Dalal: (a) Yes.

(b) The three research schemes were:

(i) Research scheme on essential oils;

(ii) Research scheme on utilisation of manganese ore of the Central Provinces;

(iii) Research scheme on utilisation of bauxite deposits of the Central Provinces.

The research scheme relating to essential oils was sanctioned by the G. B. of the C.S.I.R. in July 1944, with a grant of Rs. 2,500 for one year. The other two schemes relating to the utilisation of manganese and bauxite ore deposits in Central Provinces have been referred as recommended by the Board of Scientific and Industrial Research, to the Heavy Chemicals Committee of the Board for opinion and comments. On receipt of the report of this Committee further action will be considered.

Mr. Govind V. Deshmukh: May I know the date of reference to that body?

The Honourable Sir Ardeshir Dalal: I could not tell the Honourable Member the exact date but more or less the same time as the date on which the other scheme was sanctioned.

SUBSIDIZED NEWSPAPERS.

467. *Mr. T. T. Krishnamachari: Will the Honourable Member for Information and Broadcasting please state:

(a) the number of newspapers in each language which are subsidized by the Government of India—

(i) by the payment of a cash subsidy, and

(ii) by the purchase of a large number of copies by Government for distribution; and

(b) whether the Honourable Member proposes to place the details of the names and the amount of subsidy paid on the table?

The Honourable Sir Sultan Ahmed: (a) (i) Nil. (ii) Government of India pay for copies of many newspapers for use by their officials, in offices or in official libraries. No important newspaper, whatever its editorial policy, is excluded from consideration. Certain officials whose official work require that they should be in touch with public opinion are allowed to buy newspapers at Government expense. In such cases, the selection of the newspapers is left to the officer concerned.

National War Front organizations have also been purchasing copies of newspapers with definite pro-war and anti-Fascist editorial policies for use by National War Front workers.

(b) The time and effort required to collect the names of all newspapers and the amounts of subscription paid would be out of all proportion to the value of the information obtained and I regret I am unable to undertake to collect it.

Mr. K. C. Neogy: Is it a fact that the Provincial Government grant subsidies to newspapers in certain instances out of the funds placed at their disposal from the National War Front.

The Honourable Sir Sultan Ahmed: I have no information as regards subsidies.

Mr. K. C. Neogy: Will the Honourable Member find out by making enquiries from the Provincial Governments whether they are not subsidising certain newspapers in this way and will the Honourable Member be in a position to lay on the table of the House a list of such newspapers indicating the amounts of subsidies granted to each?

The Honourable Sir Sultan Ahmed: Certainly, I will enquire.

Prof. N. G. Ranga: Will the Honourable Member lay on the table of the House on a convenient occasion a list of those newspapers, which are allowed to be purchased by these officers at Government expense?

The Honourable Sir Sultan Ahmed: I have answered this particular question in my answer to part (b).

Mr. Badri Dutt Pande: Is it a fact that 50 newspapers are subsidised in the United Provinces?

The Honourable Sir Sultan Ahmed: I have no information, Sir.

Sardar Mangal Singh: Do the Government maintain a list of selected newspapers which they consider to be fit for Government advertisements?

The Honourable Sir Sultan Ahmed: Yes, they do.

Sardar Mangal Singh: In selecting such a newspaper, what are the considerations which weigh with the Government?

The Honourable Sir Sultan Ahmed: Mainly circulation, Sir.

Mr. T. S. Avinashilingam Chettiar: May I know if the Government maintain a list of favoured newspapers?

The Honourable Sir Sultan Ahmed: We have a list of favoured and non-favoured newspapers, because we are anxious to know the extent to which unreasonable criticism can go.

Mr. T. S. Avinashilingam Chettiar: Will Government place on the table of the House a list of such favoured and non-favoured newspapers?

TRIAL OF MR. JAIPRAKASH NARAYAN.

468. *Dr. G. V. Deshmukh: Will the Honourable the Home Member please state:

(a) if Jaiprakash Narayan, a detenu at present, is to be tried for any offences under the Indian Penal Code; if so, for what offences; and

(b) if he will be given all possible facilities to have interviews with and instructions from his counsel for his defence.

The Honourable Sir Francis Mudie: (a) I would refer the Honourable Member to my answer to starred question No. 198 on the 8th November.

(b) If he is brought to trial he will of course be given all facilities.

Dr. G. V. Deshmukh: Has he been brought to trial?

The Honourable Sir Francis Mudie: If he is brought to trial he will of course be given all facilities.

Mr. Govind V. Deshmukh: Do the Government intend to bring him to trial?

The Honourable Sir Francis Mudie: The matter was under consideration.

Mr. Govind V. Deshmukh: Is the Honourable Member aware that reports have reached the public that the Lahore High Court is going to try this gentleman under some section of the Indian Penal Code?

The Honourable Sir Francis Mudie: I have no information.

Sardar Sant Singh: Will the Honourable Member enlighten the House as to when it was decided to place him on trial in respect of the offences mentioned in the Indian Penal Code and was any remand taken for the purpose by the Police?

The Honourable Sir Francis Mudie: The answer to which I have referred in my reply was to the effect that no decision has yet been taken. I repeated that today. No decision has yet been taken.

Mr. Govind V. Deshmukh: Since when has this matter been under consideration of the Government?

The Honourable Sir Francis Mudie: Sometime.

Mr. Govind V. Deshmukh: Can we have an idea?

The Honourable Sir Francis Mudie: I do not know it myself.

FACILITY TO DR. LOHIA, A DETENU.

469. *Dr. G. V. Deshmukh: Will the Honourable the Home Member please state:

(a) if Dr. Lohia is allowed to write to and receive letters from his nearest relatives; if so, how many times a month;

(b) if the father of Dr. Lohia is allowed to have interviews with him; if not, why not; and

(c) the whereabouts of Dr. Lohia and the condition of his health?

The Honourable Sir Francis Mudie: (a) He can write and receive letters as allowed in the Punjab Security Prisoners Rules, 1944, a copy of which is in the Library of the House.

(b) His father has not yet been allowed to interview him for reasons of security; but the question of allowing an interview is under consideration.

(c) He is in Lahore Fort. His health was recently reported to be excellent.

Dr. G. V. Deshmukh: May I know if there is any classification of these detenus, such as Congress detenus and Congress-Socialist detenus?

The Honourable Sir Francis Mudie: I would refer the Honourable Member to the rules which I have referred to in my reply.

Mr. Govind V. Deshmukh: Was it for the security of his son that the father was not allowed to see him?

The Honourable Sir Francis Mudie: Security of every one, including that of the Honourable Member.

Mr. Sri Prakasa: With reference to the Honourable Member's reply to part (b) of the question, is he aware that Dr. Lohia is the only son of his father and that the father is old and ailing? Is the Honourable Member prepared to consider the desirability of granting the father an interview with his son at an early date?

The Honourable Sir Francis Mudie: I would refer the Honourable Member to what I have already stated. The question is under consideration.

Mr. Sri Prakasa: What I want to know is whether the consideration mentioned will be ended fairly quickly?

The Honourable Sir Francis Mudie: Yes.

Mr. Sri Prakasa: Within the lifetime of the father?

It may be a matter for laughter for the Government. It is not for the old father. I strongly object to this laughter.

AGREEMENT FOR MANUFACTURE OF ARTIFICIAL FERTILISERS IN THE TRAVANCORE STATE.

470. *Mr. K. C. Neogy: (a) Will the Honourable the Finance Member be pleased to state whether he is aware of the agreement entered into by two Directors of the Inter-Continent Corporation of New York with the Government of Travancore for the manufacture of artificial fertilisers in the State?

(b) Is it a fact that though the Government of India had granted permission for the issue of capital for this enterprise the Government have refused to release the necessary dollars for the purchase of machinery from America?

(c) Is it also a fact that the non-official Indian delegation visiting America in connection with the Atlantic City Business Conference has been allowed only insufficient dollar resources?

The Honourable Sir Jeremy Raisman: (a) I have no definite information regarding the existence of any such agreement or of its terms.

(b) and (c). No.

Mr. T. T. Krishnamachari: In regard to the answer to part (b), may I ask the Honourable Member if the position is really the other way about? The Government have given the necessary amount of Dollars for this company but have refused or indicated that any application for further capital issue will be rejected summarily.

The Honourable Sir Jeremy Raisman: I am afraid I shall require notice of that degree of detail.

Mr. T. T. Krishnamachari: The Honourable Member has been asked if a particular position was true. Since it is not true, is he not aware of the converse position as well?

The Honourable Sir Jeremy Raisman: The information here with me is that the suggestion in part (b) is entirely incorrect. I am not at this moment familiar with the exact details owing to my absence from India at the time but I do know that the report, which, I believe, has appeared in the press, to the effect that dollars had been refused, is entirely incorrect.

Mr. T. T. Krishnamachari: Will not the Honourable Member look into the file concerned a little further down where he will find out what was the communication made to this company by the Government of India?

The Honourable Sir Jeremy Raisman: I have not got the details with me.

Mr. K. C. Neogy: With reference to part (c) of the question, will the Honourable Member please state the considerations that weigh with his Department in deciding upon the sufficiency or otherwise of dollar resources allowed in such cases?

The Honourable Sir Jeremy Raisman: As I have had some personal experience of this sort of thing, I can assure the Honourable Member that the considerations taken into account are what would be a reasonable quantity for an individual of a certain status to spend during his stay in America.

MAJOR INDUSTRIES PROPOSED TO BE ESTABLISHED AFTER THE WAR.

471. *Mr. T. S. Avinashilingam Chettiar: (a) Will the Honourable Member for Planning and Development please state what those major industries are which the Government propose to establish in India when the war is over?

(b) Do they propose to establish them through the State or through private enterprise?

The Honourable Sir Ardeshir Dalal: (a) A list of major industries to investigate the development of which, it is proposed to set up panels is being prepared and will be placed in the Library of the House when it is ready.

(b) No decision has been arrived at yet.

Mr. T. S. Avinashilingam Chettiar: Are the Government aware that the Honourable the Commerce Member told us a few days ago that it has been decided by the Government of India to start certain major industries?

The Honourable Sir Ardeshir Dalal: The principle of the Government themselves starting major industries has not yet been decided.

Mr. K. C. Neogy: Has the Honourable Member's attention been drawn to press reports in which it is stated that very large enterprises are being undertaken in certain parts of India at the instance of foreign interests?

The Honourable Sir Ardeshir Dalal: Yes, Sir.

Mr. K. C. Neogy: Do these instances come to the notice of the Honourable Member in an official manner or has he to depend upon newspaper reports just as we have to.

The Honourable Sir Ardeshir Dalal: I have only seen general statements on the subject in newspapers.

PROPOSAL FOR MAINTAINING A CHAIN OF SUBSIDIZED NEWSPAPERS

472. *Mr. K. S. Gupta: (a) Will the Honourable Member for Information and Broadcasting please state if it is a fact that the Government of India are contemplating to start a chain of subsidised newspapers in the country? If so, when and why?

(b) Is it a fact that the Central Provinces Provincial Committee of the All-India Newspaper Editors' Conference warned the Government that any attempt to maintain a subsidized press would not only hold them and the newspapers concerned to public ridicule, but create unnecessary bitterness between them and the entire Press?

(c) Are Government aware that the All-India Newspaper Editors' Conference is in agreement with the above view and passed a resolution to that effect?

(d) In view of the above feeling, would the Government drop the idea, if there is any, to have a chain of subsidized Newspapers?

The Honourable Sir Sultan Ahmed: (a) No.

(b) A Resolution on the subject of subsidized press as adopted by the C. P. Provincial Committee of the All-India Newspaper Editors' Conference was brought to the notice of the Government of India.

(c) I am informed that a resolution on the point was moved at the recent meeting of the All-India Newspaper Editors' Conference, but the matter was eventually dropped.

(d) Does not arise in view of my reply to part (a).

Prof. N. G. Ranga: In view of the reply to part (b) I submit that the part (d) does arise, because the resolution of the C. P. Branch of the All-India Newspaper Editors' Conference has been submitted to the Honourable Member and we would like him to let the House know what are the conclusions that the Government of India have drawn on the basis of the resolution communicated to them.

The Honourable Sir Sultan Ahmed: That question does not arise because part (a) started with the assumption that the Government was contemplating to start a chain of subsidised newspapers in the country. That fact is not correct.

SUBSIDIES TO *Vanguard* AND *People's Voice*.

473. *Mr. K. S. Gupta: (a) Will the Honourable Member for Information and Broadcasting please state how many copies of *Vanguard* of Delhi and *People's Voice* of Calcutta are being purchased by the Government for distribution among their servants?

(b) What are the subsidies given to the above two papers and since when?

(c) Are there any other ways of helping them by the Government?

The Honourable Sir Sultan Ahmed: (a) No copies of either the *People's Voice* of Calcutta or the *Vanguard* of Delhi are being purchased by the Government of India. The National War Front purchased 1,500 copies of *Vanguard* for use by their workers in the provinces during the year April, 1944 to March 1945. It has been decided to discontinue the purchase from the 1st April, 1945.

(b) No subsidies are granted to either of the two papers.

(c) No.

Prof. N. G. Ranga: Are these papers on the list of those papers which are allowed to be purchased at the cost of the Government by Government officials?

The Honourable Sir Sultan Ahmed: Yes.

Mr. T. S. Avinashilingam Chettiar: Are they paid for in a lump sum by the Department?

The Honourable Sir Sultan Ahmed: No.

Mr. T. S. Avinashilingam Chettiar: How then do they arrive at the figure of 1,500 copies?

The Honourable Sir Sultan Ahmed: Lump sum. 1,500 copies are purchased for those officers who require them for their workers.

Mr. T. S. Avinashilingam Chettiar: Were they ordered individually?

The Honourable Sir Sultan Ahmed: I have got no knowledge of that.

Mr. T. S. Avinashilingam Chettiar: In view of the fact that the Government has that figure of 1,500 copies—it must have been ordered in a lump by the Government: Am I correct?

The Honourable Sir Sultan Ahmed: I have no idea; that is a matter for the national war front and I have not got the information.

Mr. T. S. Avinashilingam Chettiar: You are the leader?

The Honourable Sir Sultan Ahmed: I am not the leader.

Mr. T. S. Avinashilingam Chettiar: Who is the leader?

The Honourable Sir Sultan Ahmed: There is no leader.

RESTRICTIONS ON BUILDING CONSTRUCTIONS.

474. ***Mr. Manu Subedar:** (a) Will the Honourable the Defence Member please state when restrictions were placed on buildings of the Civil Departments of the Government of India, Provincial Public Works Departments, Municipalities, Port Trusts, District Boards and other public bodies, and why?

(b) When was it found necessary to requisition not merely cement but bricks, tiles and all other building material including timber?

(c) Have the reasons for these restrictions not abated now and have Government considered the desirability of relaxing these restrictions?

(d) Has the attention of Government been drawn to the serious overcrowding in Bombay, the harassment to civil population whose places of residence are requisitioned at the instance of the Government of India and the desirability of permitting some buildings to go up which will provide accommodation for different classes of people?

(e) Have Government considered that the explosion has dishoused a large number of people for whom it is their duty to provide with housing?

(f) Have they received any representations from Provincial Governments generally and particularly from the Province of Bombay for relaxation of the restrictions on building of all classes or of any particular class?

(g) If Government are not prepared to relax these restrictions and permit necessary building to go up, will they explain on the basis of the latest available materials and the needs of the Army for such materials, why permission for buildings that will accommodate civil population should not now be given?

(h) Will Government appoint a Committee including Members of this House to go into this question to advise them?

Sir Charles Ogilvie: Attention of the Honourable Member is invited to the reply given by the Honourable Member for Supply Department to Starred question No. 355 on 14th November, 1944.

Mr. Manu Subedar: Are Government aware that there is considerable discontent and apprehension in the minds of the public that Government are only catering for the requirements of the military, regardless of the harassment and the inconvenience which may be experienced by the civil population?

Sir Charles Ogilvie: Every possible regard is paid to the requirements of the civil population; but it is of course admitted that requisitioning must always be attended by considerable inconvenience. Everything possible is, however, done to mitigate it.

Mr. Manu Subedar: Are Government aware that in the city of Bombay the distressing situation created by military requisitions has been very much worsened by the explosion which has dishoused a very much larger number and therefore will Government appoint a committee to consider the immediate requirements of the city of Bombay for the civil population and will they release some building material for it?

Sir Charles Ogilvie: I am unable to answer the question about the release of building material, which does not concern my Department. My Department is of course aware of the deterioration in the general situation caused by the explosion.

Mr. Manu Subedar: May I know, because coming from Bombay on the other side we are told that they are helpless, because the military Department insists on this, that and the other, and here my friend says that they are doing everything. I therefore want to know whether Government will look further into this matter and have a small committee of military people, the civil population, the Municipal Commissioner of Bombay and one of the Advisers of the Government of Bombay to go into this question whether something could not be done to alleviate the situation which the Honourable Member himself admits is very hard?

Sir Charles Ogilvie: It is known to me that the military authorities in Bombay are doing everything possible in direct consultation with the Provincial Government on this subject and that no complaint has ever been received that the requirements which they are making are in any way unreasonable. The difficulty is how to meet them.

DETENTION OF MR. JAIPRAKASH NARAYAN.

475. ***Prof. N. G. Ranga:** (a) Will the Honourable the Home Member be pleased to state under what law or regulation or ordinance Mr. Jai Prakash Narain is held in jail?

(b) In which jail is he kept at present?

(c) What are the privileges granted to him regarding company, association, diet, clothing, library, letters, newspapers and disabilities imposed such as lock-up, denial of companions, or letters or books?

(d) Is he allowed any facilities for recreation?

(e) What is the state of his health?

(f) Is it true that he has been kept in solitary confinement, and, if so, for how long and why?

(g) Is it true that Government are thinking of trying him in an open court of law?

(h) If the answer to (g) is in the affirmative, will Government give him the usual facilities of engaging his own lawyers and instructing them in defending himself?

The Honourable Sir Francis Mudie: (a) Ordinance III of 1944.

(b) He is detained in the Lahore Fort.

(c), (d) and (f). He is treated as a Class I security prisoner under the Punjab Security Prisoners Rules, 1944, a copy of which is in the Library of the House. He has however been segregated from other prisoners but allowed some companionship every day.

(e) His health was recently reported to be excellent.

(g) and (h). I would refer the Honourable Member to my answer to starred question No. 198 on the 8th November and to the answer I have just given to question No. 468.

Prof. N. G. Ranga: What is meant by "some companionship for a portion of the day"? What sort of companionship and for how long?

The Honourable Sir Francis Mudie: Human companionship.

Prof. N. G. Ranga: What sort of human companions are they—ordinary convicts, or are they politicals or are they ordinary prisoners?

The Honourable Sir Francis Mudie: I believe it is the companionship of Mr. Ram Manohar Lohia.

Sardar Mangal Singh: May I know if this Lahore Fort is a judicial lock-up or a jail?

The Honourable Sir Francis Mudie: I would ask for notice of that.

Sardar Mangal Singh: Is it not a fact that persons are kept there only temporarily who are required to be kept under observation?

The Honourable Sir Francis Mudie: I do not know; it is under the Punjab Government.

Sardar Mangal Singh: Will the Honourable Member make inquiries that in that fort persons are not kept indefinitely?

(No answer was given.)

Mr. Sri Prakasa: Am I to understand that Dr. Ram Manohar Lohia and Mr. Jai Prakash Narain are allowed to meet each other only for a few hours each day or are they kept together all the time?

The Honourable Sir Francis Mudie: No; they meet for a certain period and perhaps other people as well every day; they are not kept together.

Mr. Sri Prakasa: Am I to understand that after this meeting they are again separated and kept in separate jails?

The Honourable Sir Francis Mudie: That is what I said: not jails.

Mr. Sri Prakasa: Separate cells! What are the other people the Honourable Member is referring to with whom they are also privileged to meet from time to time?

The Honourable Sir Francis Mudie: I merely happen to know that Mr. Jai Prakash Narain does meet Mr. Ram Manohar Lohia; whether he meets other people or not or what their names are I have no information.

Mr. Sri Prakasa: In view of the fact that the Honourable Member said that Mr. Jai Prakash is given some human companionship and in view of the further fact that the Honourable Member is not aware of the sort of persons who are allowed to see Mr. Jai Prakash from time to time, will the Honourable Member kindly make inquiries as we are rather anxious about the type of persons who meet him, because sometimes only ordinary convicts are given as so-called companions to educated and highly placed prisoners such as Mr. Jai Prakash Narain? I want to know whether the persons who are allowed to meet him besides Dr. Ram Manohar Lohia are persons whom we on this side of the House regard as political prisoners, even though that term is not definitely defined by the Government?

The Honourable Sir Francis Mudie: The conditions of Mr. Jai Prakash Narain's detention in the Lahore Fort are determined by the Punjab Government.

Prof. N. G. Ranga: Is he allowed any facility to have any walk?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

Mr. Sri Prakasa: This is a very important question, Sir. It deals with the health of an important person.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that the matter is really the concern of the Punjab Government.

Mr. Sri Prakasa: If you will kindly permit me to make a submission. I want to say that the Honourable Member said that Mr. Jai Prakash is detained under the rules and regulations of the Punjab Government. As a matter of fact, if you look into the rules we only find general indications and conditions there, while part (c) of the question wants details as regards the number of

letters that are allowed, the names of newspapers, etc. I hope you will, in deference to the desires and anxieties of this part of the House, permit the Honourable Member to reply to that question.

Mr. President (The Honourable Sir Abdur Rahim): He has made it clear that these matters of detail are really the concern of the Punjab Government and he has got no information on this point.

M. Sri Prakasa: I submit that what the Honourable Member has said is that the matter is the concern of the Punjab Government and that the conditions imposed on the gentleman concerned are in accordance with the regulations of the Punjab Government. Now the book that he referred to only gives general indication of the conditions. We want to know the number of letters he is allowed to write, the names of the newspapers he is allowed to read, etc., because he is really a special sort of prisoner.

Mr. President (The Honourable Sir Abdur Rahim): You cannot have a debate on this. The Honourable Member may put down a question.

Prof. N. G. Ranga: The Honourable Member had enough time to make inquiries from the Punjab Government and give us specific answers.

Mr. President (The Honourable Sir Abdur Rahim): He has given the answer.

Prof. N. G. Ranga: He has evaded the question and is not giving proper answers to the questions.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member knows that the Chair cannot compel any member of the Government to give an answer that will satisfy the Honourable Member who puts the question.

Mr. Sri Prakasa: If you will permit us to put supplementary questions, we will try to get proper answers. That certainly is within your power.

Mr. President (The Honourable Sir Abdur Rahim): I cannot allow any further argument. Next question.

DETENTION OF DR. LOHIA.

476. *Prof. N. G. Ranga: (a) Will the Honourable the Home Member be pleased to state under what law Dr. Ram Manohar Lohia is kept under detention?

(b) In which place is he at present undergoing detention? Is it a fact that he was brought to the Delhi Fort on or about the 20th June, 1944?

(c) What facilities regarding diet, clothing, money, company, books, correspondence, newspapers, etc., is he allowed to enjoy?

(d) What is the state of his health?

(e) Why is it that repeated requests made by his aged father to be granted an interview with his son on the ground that he had not seen him for a long time have been turned down by the Government?

(f) Will the Government be pleased to reconsider and grant an early interview to his aged father with his son at least on humanitarian grounds?

The Honourable Sir Francis Mudie: (a) Ordinance III of 1944.

(b) He is detained in Lahore Fort. He was not brought to Delhi Fort on or about 20th June, 1944.

(c) He is detained under the same conditions as Mr. Jai Prakash Narain for which I refer my Honourable friend to the reply just given to question No. 475.

(d) His health was recently reported to be excellent.

(e) For reasons of security.

(f) This is under consideration.

Mr. Sri Prakasa: With reference to part (c) of the question, will the Honourable Member be pleased to give us more details regarding diet, clothing, money, company, books, correspondence and newspapers allowed to our friend Dr. Ram Manohar Lohia.

The Honourable Sir Francis Mudie: I have no further details to give.

Prof. N. G. Ranga: In view of the fact that I have been kept in a solitary lock up for nearly six months in jail and I happen to know the rigours of it

and the pains of it, will the Honourable Member be pleased at least to take this occasion to inquire from the Punjab Government what sort of facilities are given to these people and what sort of disabilities to which they are subjected?

The Honourable Sir Francis Mudie: The position is, I may explain again, that he is a prisoner in the Punjab jail. The responsibility for keeping him and seeing that he does not escape is entirely that of the Punjab Government and they and they alone can decide what security regulations to apply. That follows logically from their responsibility for detention.

Sardar Sant Singh: May I ask the Honourable Member, if the responsibility for detention is that of the Central Government, whether the responsibility for safety is that of the Punjab Government?

The Honourable Sir Francis Mudie: These people are in the charge of the Punjab Government.

Sardar Sant Singh: How is this the responsibility of the Punjab Government and how does that logically follow. The logic is just the other way. When the Central Government detain him, it is the duty of the Central Government to see that he is properly treated.

The Honourable Sir Francis Mudie: The Punjab Government are in the position of a jailor.

Sardar Mangal Singh: There are few cells in the fort. There is no open space to walk about.

Mr. T. T. Krishnamachari: He has not been in the lock-up.

Sardar Mangal Singh: There are few cells in the fort. There is no open space for the prisoners to walk about in the morning and evening.

The Honourable Sir Francis Mudie: I am told that is not the case.

Sardar Mangal Singh: Will the Honourable Member allow some of the Members of this Honourable House to pay a visit to the Lahore Fort and find out the conditions?

The Honourable Sir Francis Mudie: That question should be addressed to the Punjab Government.

Mr. Sri Prakasa: In view of the fact that we are often told that the health of some of these prisoners is excellent when they are really dying, will the Honourable Member kindly make sure that the report about our friend's health is really correct? Will the Honourable Member be prepared to have him re-examined by a few doctors.

The Honourable Sir Francis Mudie: I have no reason to doubt the report.

SALT POSITION IN BENGAL AND EASTERN PROVINCES.

477. ***Mr. K. C. Neogy:** (a) Will the Honourable the Finance Member be pleased to make a statement indicating—

(i) the approximate stocks of salt now held in Bengal and the present scheme of importation of sea-borne salt for consumption in the eastern provinces, and
(ii) the average retail prices at which salt has been available in the interior of the eastern provinces during the last few weeks?

(b) Is the Honourable Member aware of the serious shortage of salt that arises now and then in the interior of the eastern provinces and the high prices at which it is sold on such occasions? If so, what steps are contemplated for the purpose of making salt readily available at all centres of distribution in these provinces at fair prices?

(c) Has any serious attempt been made in Bengal for the purpose of developing a salt industry at suitable places bordering the Bay of Bengal since 1931 when an additional import duty on salt was imposed and a portion of the proceeds of this duty was made available to the Government of Bengal in the expectation that it would be devoted to the exploration of possibilities of the establishment of a salt industry there? What is the total amount of the share of the additional import duty on salt that was thus made available to the Government of Bengal since 1931 and how much of it has been spent on the above object?

(d) Are the Government aware of a report on the possibility of the salt industry in the Sunderbuns submitted to the Government of Bengal in 1938 by Rai Bahadur D. N. Mukherjee, then Superintendent of Excise and Salt in Calcutta and now of the Excise Department of the Central Government, and Mr. P. S. Rao, Deputy Conservator of Forests, Bengal, in the course of which they came to the conclusion that Bengal has better prospects of salt being manufactured by the Burma process than Burma itself and that salt, if manufactured under the said process in Bengal, has the immediate prospect of a successful market?

(e) Are the Government also aware that experiments carried on by a few concerns on a limited scale have established the possibility of manufacturing salt of a good quality in the coastal areas of Bengal on a commercial scale, by the solar evaporation method?

(f) Is it a fact that in 1943 when there was a scarcity of salt supply in Bengal the Government of Bengal with the sanction of the Government of India opened a few warehouses in the districts of Midnapore, 24-Parganas, and Chittagong for the collection of salt produced by its inhabitants of the coastal villages under the Gandhi-Irwin Pact? If so, did this step prove a success in any of the aforesaid districts and is the scheme still in operation? Has any proposal been made by the Government of Bengal to the Government of India for the abolition of duty on salt produced as a cottage industry by villagers in the coastal areas?

The Honourable Sir Jeremy Raisman: (a) (i) As regards the first part of the question, enquiries show that 8.02 lakh maunds of salt were in Government *godas* and private godowns of the principal dealers on 6th November, 1944. The present scheme of importation of sea-borne salt in the Eastern Provinces namely Bengal and Assam is that as previously it is imported through the normal trade channels. The importers are given facilities in respect of import licenses and transport.

(ii) I place a Statement on the table.

(b) There has been no shortage of salt in Bengal and Assam since last May after which date imports have actually exceeded the target figure of 35,000 tons a month. As regards distribution, the control of all imports has been taken over by the Bengal Government who are taking the necessary measures to ensure that salt is readily available at reasonable prices.

(c) Seven salt factories were operating in Bengal in 1942-43 whereas there were none in 1931.

As regards the second part of the question Rs. 16,92,000 in all was paid to the Government of Bengal as their share of the additional import duty on salt collected up to the 30th April 1938 when it was abolished. So far as the Government of India are aware no substantial portion of this amount has been spent on the development of the salt industry in the Province.

(d) Yes.

(e) Government are not in possession of any such information.

(f) Yes. The salt concerned, however, though manufactured on a cottage industry basis, falls outside the scope of the Delhi Pact concession. The scheme is still in operation but its success is doubtful. The Government of Bengal proposed the abolition or reduction of duty in respect of this form of manufacture but the Government of India saw no sufficient justification for that measure.

Statement showing the retail price of salt in Bengal and Assam

Bengal (as on 28th October, 1944)	Retail price per seer			Remarks
	Rs.	AS.	P.	
CALCUTTA	0	2	9	Controlled.
24-Parganas (Alipore)	0	3	0	
Diamond Harbour	0	2	6 to 0 3 0	
Barrackpore	0	2	3 to 0 3 0	
Baraset	0	2	6 to 0 3 0	
Basirhat	0	2	3 to 0 3 0	

	Rs.	A.	P.	
NADIA	0	3	0	
Kushtia	0	3	0	
Maherpur	0	3	0	
Chuadanga	0	2	9	
Ranaghat	0	3	0	
MURSHIDABAD	0	3	0	
Lalbagh	0	3	0	
Jangipur	0	3	0	
Kandi	Not reported			
JESSORE	0	3	0	
Jhenidah	0	4	0	
Magura	0	3	6	. Government Stock Con-
Narail	0	3	6	trolled.
Bongaon	0	3	6	
KHULNA	0	3	0	
Satkhira				
Bagerhat	0	3	0	
BURDWAN	0	3	0	
Asansol	0	3	0	
Katwa	0	3	6	
Kalna	0	3	6	
BIRBHUM	0	3	0	
Rampurhat	0	3	0	
BANKURA	0	3	0	
Vishnupur	0	3	0	
MIDNAPORE (Sadar North)	0	2	9	. Government Stock.
MIDNAPORE (Sadar South)	0	3	0	
Contai	0	2	0	
Tamluk	0	2	9	
Ghatal	0	3	6	
Jhargram	0	2	9	
HOOGHLY	0	3	0	
Serampore	0	3	0	
Arambag	0	4	0	
HOWRAH	0	3	0	
Ulubria	0	3	6	
RAJSHAHI	0	3	0	
Naogaon	0	3	3	
Nator	0	3	0	
DINAJPUR				
THAKURGON	0	3	3	
Balurghat	0	3	3	
JALPAIGURI	0	3	6	
Alipurduar	0	3	6	
DARJEELING	0	3	6	
Kurseong	0	3	6	
Siliguri	0	3	3	
Kalimpong	0	3	3	
RANGPUR	0	3	0	
Nilphamari	0	3	6	
Kurigram	0	3	6	
Gaibandha	0	3	3	
BOGRA	Not reported.			
PABNA	0	3	0	
Serajganj	0	2	0 to 0 3 0	
MALDA	0	3	6	
DACCA (Sadar North)	0	3	6	
DACCA (Sadar South)	0	3	3	
Naraiganj	0	12	0	
Manikganj	0	3	6	
Munshiganj	0	6	6	
MYMENSINGH (Sadar North)	0	4	0	
MYMENSINGH (Sadar South)	0	3	0	
Jamalpur	0	4	0	. . Controlled.
Tangail	0	6	3	
Netrokona	0	3	0	
Kesoregunj	0	4	0	
FARIDPUR	0	3	0	
Goalundo	0	3	6	
Madaripur	0	3	6 to 0 3 9	
Gopalganj	0	3	6	
BAKARGANJ (Sadar North)	0	3	0	

	Rs.	A.	P.	
BAKARGANJ (Sadar South)	0	4	0	Controlled
Pirojpur	Not reported.			
Patuakhali	0	3	6	
Bhola	0	4	0	
CHITTAGONG (Sadar "A")	0	3	9	Government Stock
CHITTAGONG (Sadar "B")	0	6	0	
Cox's Bazar	0	4	0	
TIPPERA (Sadar North)	Not reported.			
TIPPERA (Sadar South)	0	5	0	
Brahmanberia	0	4	6	
Chandpur	0	3	6	
NOAKHALI	0	4	0	Controlled
Feni	0	4	0	
CHITTAGONG HILL TRACTS (Rangamati)	0	3	9	
Rangarh	0	4	6	
Assam (for fortnight ended 31st August, 1944)				
1. Cachar	}	0	4	0
2. Darrang				
3. Goalpara				
4. Khasi and Jaintia Hills				
5. Lakhimpur				
6. Sylhet				

Mr. K. O. Neogy: With reference to part (d) of the question, do I take it that the Government of India have no control with regard to the distribution of salt in the interior?

The Honourable Sir Jeremy Raisman: Actually that is now a matter for my Honourable Colleague the Food Member and I am afraid I am not quite sure of the precise position. The information before me is that as regards distribution the control of all imports has been taken over by the Bengal Government.

Mr. K. O. Neogy: With reference to part (e) of the question, may I request the Honourable Member to make inquiries on this subject?

The Honourable Sir Jeremy Raisman: I have made inquiries in the short time available to me and as regards our records here I have not been able to obtain any further information than I have given in my reply.

UTILIZATION FOR INDUSTRIAL PURPOSES OF SALT MANUFACTURED IN BENGAL COASTAL AREAS BY CERTAIN CALCUTTA FIRMS.

478. *Mr. K. O. Neogy: (a) Will the Honourable the Finance Member please state whether it is a fact that certain industrial firms in Calcutta utilise salt manufactured in the coastal areas of Bengal for industrial purposes with the approval of the Central Excises and Salt Department which allows refunds of the duty levied on such salt to them as a concession? If so, has any salt manufacturing firm in Bengal been recognised as approved dealer of the Central Government for this purpose and are Government aware of any difficulty experienced by any such firm in having their supplies made available to industrial firms since the recent introduction of rationing of salt in Calcutta and the Calcutta Industrial Area?

(b) Is the Honourable Member aware that prosecution was launched against one such firm in September last at the instance of the Provincial Rationing authorities for bringing salt into the Calcutta area for being supplied to some industrial firms recognised by the Central Excises and Salt Department in continuation of a previous practice?

(c) Do Government propose to impress upon the Government of Bengal the desirability of taking early and determined steps to assist the establishment of a salt industry in Bengal at an early date particularly in view of the possibility of the importation of salt by the sea route into Bengal being jeopardised by developments in the campaign against Burma?

The Honourable Sir Jeremy Raisman: (a) and (b). The information asked for is not readily available; it is being collected and replies will be laid on the table of the House in due course.

(c) The Government of Bengal are already aware of the position.

REPORT OF ASSOCIATED PRESS OF AMERICA RE BOMBAY PLAN.

†479. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable Member for Planning and Development be pleased to state if his attention has been drawn to the following report of the Associated Press of America released for publication in India by the United States of America Office of War Information in the second week of August, 1944:

"The Bombay plan was developed by industrialists led by the House of Tata. Government approved the plan and appointed Sir Ardeshir Dalal, a Tata partner, to the Viceroy's Council as Member for Planning and Reconstruction.

The United States enters into the picture because in India both private industrialists and Government would like a series of American loans totalling about 1,500 million dollars with which to buy American machinery.

Another partner, A. D. Shroff who is now in New York talking with bankers and manufacturers, says the plan offers a 'splendid opportunity for the United States to enter the India market. The only fly in the ointment is our difficulty in getting American dollars to pay'. However, he is convinced both the British Government and the businessmen want to find a way to end British Government domination of India".

(b) If the answer to (a) be in the affirmative are the statements true? If not, will the Honourable Member be pleased to go through the report and state if the Government of India would issue a communiqué to contradict the above statements with a view to clear up any wrong impression made in public minds either in India or in America?

The Honourable Sir Ardeshir Dalal: (a) Yes, Sir.

(b) Government do not consider it necessary to issue a press communiqué as suggested by the Honourable Member, as their views on planning have received adequate publicity, particularly since the beginning of this Session.

NEGOTIATIONS BY NON-OFFICIAL MEMBERS OF THE DELEGATION TO WORLD MONETARY CONFERENCE.

†480. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Honourable the Finance Member be pleased to state if the non-official members of the Delegation to the World Monetary Conference were entitled to enter into negotiations with the New York Bankers? If so, were they entitled to enter into any such negotiation in the capacity of Delegates or in their private and personal capacities?

(b) Were they authorised to invite the United States to enter the Indian Market as, Mr. A. D. Shroff did, according to the report, while in America?

The Honourable Sir Jeremy Raisman: No non-official member of the Indian Delegation to the Bretton Woods Conference was authorised by the Government of India to act on their behalf in any matter unconnected with the Monetary Conference. Members were, however, naturally free to act as they pleased in matters outside the scope of that Conference.

DESIRABILITY OF DEARNESS ALLOWANCE FOR PENSIONERS.

481. *Mr. Frank R. Anthony: (a) Is the Honourable the Finance Member aware that the increased and increasing cost of living has not only affected Government servants very adversely, but even more so the large number of pensioners of all grades who are entirely dependent in their old age on their pensions?

(b) Is he aware that many of these pensioners who are finding it increasingly difficult to live respectably served with distinction in the last war?

(c) Is it not a fact that pension is a deferred pay and is granted by Government to their employees for long, faithful and loyal service?

(d) Do Government propose to take into consideration the hardships that pensioners are undergoing and give some relief in their distress by granting them dearness allowance adopted in the case of persons who are in the active service of the Government? If not, what are the reasons which are standing in the way of taking a sympathetic view in the case of pensioners?

The Honourable Sir Jeremy Raisman: (a) Government are aware that pensioners in common with Government servants and other members of the public, have been affected by the rise in the cost of living, and for this reason

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

Government have already sanctioned relief by granting temporary increases in small pensions on the following scale:

Rs. 3 per mensem in pensions not exceeding Rs. 20 per mensem.

Rs. 4 per mensem in pensions exceeding Rs. 20 but not exceeding Rs. 40 per mensem.

Rs. 5 per mensem in pensions exceeding Rs. 40 but not exceeding Rs. 75 per mensem.

It is estimated that increases on this scale will cost Rs. 14 lakhs a year in the Central Civil Budget and from six to seven times this amount in the Defence Budget.

(b) Yes.

(c) Pension is not deferred pay but is the reward of long and approved service.

(d) As stated in the reply to part (a) of the question Government have already sanctioned some relief to pensioners. Dearness allowance at the rates admissible to serving Government employees cannot, however be extended to pensioners, as considerations of the efficiency of the public service do not apply in the same degree in respect of pensioners as of persons in the active service of Government. Government are therefore obliged to restrict the extent of relief to pensioners to limits which do not impose an undue burden on the tax-payer. The present limits have the general support of Provincial Governments. It should furthermore not be forgotten that the war has provided greatly increased opportunities of employment for pensioners and their families.

Mr. Lalchand Navalrai: Is it not a fact that the civil pensioners were actually given the dearness allowance only this year and it has been stopped recently?

The Honourable Sir Jeremy Raisman: I am not aware of that.

Mr. Frank R. Anthony: Am I to understand that the Government is not prepared to consider the cases of other pensioners for the purpose of dearness allowance?

The Honourable Sir Jeremy Raisman: The present position is as I have described. It is a fact that all questions relating to dearness allowance come under review from time to time, but I will not commit myself to anything in the nature of a promise.

DETENTION OF DR. LOHIA.

482. ***Mr. Akhil Chandra Datta:** (a) Will the Honourable the Home Member please state if it is a fact that Dr. Ram Mohan Lohia, Ph.D., has been arrested? If so, when and where and under what law and for what offence?

(b) Where is he being detained now?

(c) Is it a fact that the said Doctor is meted out the same treatment as worst criminals?

(d) Is it a fact that the father of the said Doctor applied for an interview with his son?

(e) Is it a fact that no interview was allowed to his father?

(f) Why is the said Doctor not allowed interviews even with the members of his family?

(g) Is it a fact that this said Doctor is being kept in the underground cells of the Delhi Fort? Is he allowed to come out of the cells in the open air and for how many hours?

(h) Is it a fact that he is not allowed correspondence with his friends and relations; if not, why not?

(i) Is he allowed to receive money, books, toilet articles, smoking requisites and other amenities of life from his friends?

(j) Is he getting any newspapers? If so, what?

(k) Is he kept in solitary confinement or kept along with other politicals?

(l) Is he allowed any indoor and outdoor games? If so, what?

The Honourable Sir Francis Mudie: (a) Yes. He was arrested in Bombay on 21st May 1944 under Defence of India Rule 129.

(b) Lahore Fort.

- (c) No.
 (d) and (e). Yes.
 (f) For reasons of security.
 (g) No. As he is not in the cells, the question of coming out of them does not arise.
 (h) It is not a fact.
 (i), (j) and (l). He is given the same treatment as other Class I security prisoners under the Punjab Security Prisoners Rules except that he is not at present allowed interviews.

(k) He is not kept in solitary confinement.

Mr. Sri Prakasa: What was the reply to part (l) of the question?

The Honourable Sir Francis Mudie: Reference was made to the Punjab Security Prisoners Rules.

Mr. Sri Prakasa: Could the Honourable Member kindly tell us exactly what the rule is in this connection?

The Honourable Sir Francis Mudie: No, Sir; I have not got a copy of those Rules with me.

Prof. N. G. Ranga: Can the Honourable Member be a little more specific in regard to part (j) of the question? Is he getting any newspapers?

The Honourable Sir Francis Mudie: I am afraid I have no detailed knowledge. He is allowed whatever is allowed under the Rules.

‡ PURCHASE OF MEAT, FISH, ETC., FOR THE MILITARY IN CHITTAGONG DIVISION.

483. ***Shaikh Rafuuddin Ahmad Siddiquee:** Will the War Secretary be pleased to state:

(a) if Government are aware that military people and their contractors purchase meat, fish and vegetables from the open market meant for the civil people in the Chittagong Division and thereby causing a dearth of these commodities and unspeakable hardship to the civil people; and

(b) if the answer to (a) is in the affirmative, whether Government be pleased to issue strict instructions prohibiting the purchase of civil commodities by the military and their contractors in the Chittagong Division:

Mr. O. M. Trivedi: (a) No such complaint has come to my notice, but if the Honourable Member who is serving on the Chittagong Division Central & District Price & Export Control Board, will give me any further details, I will make enquiries.

(b) Does not arise.

Shaikh Rafuuddin Ahmad Siddiquee: Is it not a fact that on account of heavy military operations in Chittagong, the quantity of fish, meat, vegetables and other foodstuffs has fallen short of the normal requirements of the civil population? Do the Government propose to remove the sufferings of the people as the civil population can hardly bring the foodstuffs and other commodities from outside on account of the heavy military traffic in Chittagong?

Mr. O. M. Trivedi: Might I suggest to the Honourable Member that as he himself is a member of the Board, he should represent this matter at the meeting of the Board?

Shaikh Rafuuddin Ahmad Siddiquee: We have already represented this matter to the Board and a Government official, whose name I need not mention, requested me to ask this question. It is a fact that people of Chittagong are starving. May I ask what steps Government propose to take to mitigate their suffering?

Mr. O. M. Trivedi: I can only explain the general policy here. I know that in considering the contracts for local purchases, it is the policy of the military authorities to conform to local prices control regulations and a close liaison is maintained by the local purchase officers with the civil authorities to ensure that markets are not denuded to the detriment of the civil population. May I ask the Honourable Member to give me the name of the official member of the Board who asked him to put this question?

Mr. Manu Subedar: In view of the fact that a similar situation also exists in the City of Bombay, may I ask what steps Government are going to take or have already taken to control the military contractors who are not actually military men but are suppliers to military? Of course, the regulation read out by my Honourable friend does not apply to those who have merely contracted to supply to the military and it is these suppliers to the military who are playing havoc with civil population's food.

Mr. C. M. Trivedi: If the Honourable Member will put a specific question on the subject, I shall be glad to answer it.

Mr. K. C. Neogy: The Honourable Member has referred to the policy on this matter on more than one occasion. May I request him to undertake a regular official inquiry to find out what the actual practice is in this matter in different provinces?

Mr. C. M. Trivedi: I have no reason to believe that practice does not conform with the policy.

LEGAL AID FOR DETENUS AT THE REVIEWS OF THEIR CASES.

484. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable the Home Member please state:

(a) whether under the recent ordinance reviewing the detention of detenus, the detenus are entitled to legal aid;

(b) whether they are entitled to legal aid only for the first review or whether they are entitled to legal aid and representation; and

(c) the number of detenus released since the ordinance and how many are still kept under detention?

The Honourable Sir Francis Mudie: (a) and (b). The Honourable Member is referred to my reply to part (b) of starred question No. 70 on November 3rd.

(c) The Honourable Member is referred to my reply to starred question No. 68 on November 3rd.

Mr. T. S. Avinashilingam Chettiar: It is only a matter of saying 'Yes' or 'No' and we should have a categorical reply.

The Honourable Sir Francis Mudie: I have given a reply.

Mr. T. S. Avinashilingam Chettiar: Sir, I have asked whether the detenus are entitled to legal aid and the answer should be either 'Yes' or 'No'. Why should the Honourable Member refer to the answers given previously in this connection?

The Honourable Sir Francis Mudie: Because the question was previously asked and answered.

Mr. T. S. Avinashilingam Chettiar: May I point out, Sir, that instead of giving the answer by saying one word he has used so many words and has referred me to the previous replies and thereby he has wasted the time of the House?

Mr. President (The Honourable Sir Abdur Rahim): If the answer has been given already, the Honourable Member is not entitled to ask that question again.

Mr. T. S. Avinashilingam Chettiar: May I ask him to read that answer?

The Honourable Sir Francis Mudie: The answer to part (a) of question No. 70 was:

"I regret that, for the reasons underlying the provisions of section 11 of Ordinance III of 1944, I am unable to comply with the Honourable Member's request. The statements of the grounds of their detention communicated to persons detained under that Ordinance comply with the provisions of section 7 thereof."

That is irrelevant to the Honourable Member's question. The answer to part (b) of Question No. 70 was:

"No. For the reason that no question of law arises."

That is relevant to the Honourable Member's question.

STRICTURES PASSED BY NAGPUR HIGH COURT ON THE EXECUTIVE.

485. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable the Home Member please state:

(a) whether Government are aware of the strictures passed by a bench of the Nagpur High Court on the Executive of the Province for its attitude on man's freedom while directing the release of a detenu as reported in the *Hindu*, dated the 26th November; and

(b) whether Government have taken up this matter with the Local Government and taken steps that the Defence of India Rules are not abused by the Provincial Executives?

The Honourable Sir Francis Mudie: (a) Government have no official information on the subject.

(b) No.

Mr. T. S. Avinashilingam Chettiar: In view of the fact that I have brought this matter to the attention of the Government, have they taken any pains to get the information?

The Honourable Sir Francis Mudie: I have already said that the answer to part (b) is 'No'.

Mr. T. S. Avinashilingam Chettiar: The reply to my question was that Government have no information. I have given the information and I would like to know what steps you have taken?

The Honourable Sir Francis Mudie: None.

Mr. T. S. Avinashilingam Chettiar: But why did you not take any steps?

The Honourable Sir Francis Mudie: Because the officials concerned are under the Provincial Governments.

Mr. T. S. Avinashilingam Chettiar: When the Defence of India Rules are misused and when the High Courts make strictures that they are so misused, is it not the responsibility of the Government of India to inquire into the matter and to see that they are used properly?

The Honourable Sir Francis Mudie: Provincial officials are answerable to the Provincial Governments whether it is the case of the Defence of India Rules or of the Criminal Procedure Code.

Sardar Sant Singh: In view of the fact that the Act has been passed by this Legislature and the power of making rules is given to the Central Government, if certain powers are given to the Provincial Governments and if these powers are being abused, will the Honourable Member see the desirability of changing that rule, so that there should be no abuse of powers given to the Provincial Governments?

The Honourable Sir Francis Mudie: It is entirely a hypothetical question.

Sardar Sant Singh: No, Sir. Questions have been asked in this House seeing the abuse of powers by the Provincial Governments against which even Judges of High Courts have passed strictures and is it not therefore the duty of the Central Government to see that this Rule is changed and that Provincial Governments use these Rules for the purpose for which they are framed?

(No answer.)

(b) WRITTEN ANSWERS

ISSUES OF PAPER CURRENCY.

486. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable the Finance Member please state:

(a) the latest statistics with regard to the issue of paper currency in India; and

(b) with what reserves these paper issues are backed?

The Honourable Sir Jeremy Raisman: (a) and (b). The attention of the Honourable Member is invited to the weekly accounts of the Reserve Bank which are published in the *Gazette of India*.

ANTI-INFLATION MEASURES.

487. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable the Finance Member please state:

(a) the steps he has taken to reduce inflation since the last session; and

(b) whether the paper currency has substantially reduced on its account?

The Honourable Sir Jeremy Raisman: (a) I would invite the Honourable Member's attention to my reply to Dr. Sir Zia Uddin Ahmad's question No. 67 on the 3rd November 1944. What I have said there about the steps taken for stabilizing prices covers also the measure adopted for reducing inflation.

(b) As a result of the anti-inflationary measures taken by Government it has been possible considerably to retard the rate of expansion of currency.

PUBLICITY ORGANIZATION ATTACHED TO INDIA'S AGENT-GENERAL IN AMERICA.

488. *Mr. T. T. Krishnamachari: Will the Honourable Member for Information and Broadcasting please state:

(a) whether there exists a publicity organisation attached to the office of the Agent-General for India in the United States of America;

(b) the nature of its personnel;

(c) what its duties are;

(d) whether the determination of the type of publicity carried on by this organisation is in the hands of the Agent-General or the Government of India;

(e) whether the Government of India has satisfied themselves from time to time that the publicity carried by this organisation is in the best interests of this country?

The Honourable Sir Sultan Ahmed: (a) Yes.

(b) One Public Relations Officer and one Deputy Information Officer with Ministerial and Inferior staff. A second post of Deputy Information Officer exists but is at present unfilled. Action is in hand to fill it.

(c) The duties of this organisation are to stimulate the flow and distribution of news about India, to provide interpretative and background material, and to supply editors and columnists with the information they require on Indian affairs.

(d) The Agent General exercises general control over all the staff who are appointed by the Government of India. The Agent General is himself an officer of the Government of India.

(e) Yes.

SHORT NOTICE QUESTION AND ANSWER.

CABLE TO MAHATMA GANDHI ^{RE} INDIA'S RETALIATORY MEASURES AGAINST SOUTH AFRICA.

Mr. Ananga Mohan Dam: Will the Honourable Member for Commonwealth Relations be pleased to state:

(a) if the attention of the Government of India has been drawn to the *Reuter* news published in the *Statesman* of 11th November, 1944, to the effect that a cable has been sent to Mahatma Gandhi from South Africa, stating the discriminatory measures taken by India as a retaliation are against the Indian tradition of love, and requesting Mahatma Gandhi to give the lead by making a statement on the situation; and

(b) if the Government of India can make arrangement for sending Mahatma Gandhi on a mission of love to South Africa in view of his friendship with Field-Marshal Smuts?

The Honourable Dr. N. B. Khare: (a) Yes, Sir. I have read that news in the paper referred to, but a reasonable doubt may arise about the authenticity or correctness of that news since I have received a telegram from the self same persons which is rather contradictory to the news published in that paper. The telegram is from Dr. Dadoo and Cachalia, Johannesburg addressed to the Honourable Dr. Khare, Dr. Deshmukh and the Honourable Sir Sultan Ahmed, Sir Syed Raza Ali and Mr. M. A. Jinnah. It runs thus:

"Congratulate courageous stand (Stop) Immediate imposition sanctions Et Recall High Commissioner imperative (Stop) Community condemns Pretoria Agreement Just as repugnant Et disastrous as Ordinances (Stop) Only Just demand unconditional repeal Pegging Act Et Full rights Citizenship."

It is evident that the position is confusing and it is for the Mahatma to clear it up if it so pleases him.

(b) If Mahatma Gandhi approaches the Government regarding such a visit the Government will consider the matter.

Mr. T. T. Krishnamachari: May I ask if the Honourable Member has had anything to do with the inspiring of this short notice question?

Several Honourable Members: Order, order.

Mr. Ananga Mohan Dam: Do the Government contemplate to withhold the application of the Reciprocity Act, in view of the information from South Africa that that step is not based on 'love'?

Mr. Sri Prakasa: Will the Honourable Member take the initiative in this matter (stop). If so (comma), when (question mark).

The Honourable Dr. N. B. Khare: I am not familiar with the science and technique of love.

Sir Cowasjee Jehangir: Will the Honourable Member tell us which is the Department of 'love' in this Government?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

MOTIONS FOR ADJOURNMENT.

REMOVAL OF ARCHÆOLOGICAL 'FINDS' OF NAGARJUNA KUNDA.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a Motion for Adjournment from Prof. Ranga. He wishes to move for the adjournment of the House "to discuss a definite matter of urgent public importance, namely the removal of a number of archæological 'finds' of Nagarjuna Kunda in Guntur District which are of special historical importance to the Andhras and the attempt of the authorities to transport them from Machala Railway Station to an unknown destination, despite the categorical reply given by the Department of Education, Health and Lands to Questions Nos. 244 and 247 of the 10th instant put by myself and Mr. G. Rangiah Naidu only a few days ago in this House to the effect that Government have no intention of disbanding the Nagarjuna Kunda Museum or removing the 'finds' therein to any other museum or place".

What has happened? Have these 'finds' been removed from India?

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): No, Sir, not away from India. I understand that the Honourable Secretary in charge of the Department of Education, Health and Lands has agreed to obtain additional information in regard to this matter referred to in this motion for adjournment. If the Honourable Member gets that information during the course of this Session, I shall then consider whether I will have to give further notice of the adjournment motion.

Mr. President (The Honourable Sir Abdur Rahim): It may be too late then. Does the Honourable Member wish to press his motion?

Prof. N. G. Ranga: May I request the Honourable Member in charge of this Department to get the information first?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should first make up his mind whether he is pressing this motion or withdrawing it.

Prof. N. G. Ranga: I press the motion, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Has the Government Member got anything to say?

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I have got no information. According to the information on which I answered a question about a few days ago on the 10th, it is very unlikely that anything is being permanently removed from the museum but I am perfectly prepared to try to find out.

Mr. President (The Honourable Sir Abdur Rahim): Well, as the Honourable Member is going to find out what has happened, this motion cannot be moved to day.

**BARBAROUS METHOD ADOPTED BY VIRAMGAM CUSTOMS OFFICIALS FOR
CHECKING PASSENGERS' LUGGAGE**

Mr. President (The Honourable Sir Abdur Rahim): I have also received notice of a Motion for Adjournment from Sardar Sant Singh. He wishes to make a motion that the business of the Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance, namely the barbarous method adopted by customs authorities at Viramgam for checking the passengers' luggage for purpose of customs, thus causing avoidable sufferings to passengers including women and children.

I should like to know what the Honourable Member means by barbarous methods?

Sardar Sant Singh (West Punjab: Sikh): The barbarous methods consist in this that the train arrives at 4 A.M., the passengers including men, and women are asked to put their luggage on their shoulders and walk to the tables on the platform and place their luggage thereon and then take back, after inspection by the customs officials, to the train. This is a barbarous method of enforcing customs regulations.

Mr. President (The Honourable Sir Abdur Rahim): That generally happens in most cases where luggage has to be examined by customs officials.

Sardar Sant Singh: I think the Chair also must have seen a report that appeared in the *Hindustan Times* of today's date in this connection.

Mr. President (The Honourable Sir Abdur Rahim): I have not seen that.

Sardar Sant Singh: May I read that report which appeared in the *Hindustan Times*?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not read the paper. He has given notice of this motion and I want the Honourable Member himself to explain what are the facts.

Sardar Sant Singh: The facts are that on the land barrier between Kathiawar and British India the train is made to stop at this station Viramgam where passengers are forced to alight from the train with their luggage. A small platform is provided where there are some small tables. Every passenger is required to open his luggage and place it on that table for examination. They are then sent to another platform where their luggage is examined and they are then asked to take this luggage back to the train. The time of arrival of that train is 4 A.M., the customs officials are few in number, the examination takes a long time during which all passengers,—men, women and children,—are made to suffer.

Mr. President (The Honourable Sir Abdur Rahim): I am afraid inconvenience is almost always caused by examination of passengers' luggage by customs authorities. This can hardly be a matter for an adjournment motion. The motion is disallowed.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, I can endorse the complaint as I have been through it personally about two weeks ago. I have travelled all over the world but I have never seen such stupid methods of examining passengers' luggage.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot discuss the matter.

**DECLARATIONS OF EXEMPTION UNDER THE REGISTRATION OF
FOREIGNERS ACT.**

The Honourable Sir Francis Mudie (Home Member): Sir, I lay on the table a copy of each of the following Declarations of Exemption under section 6 of the Registration of Foreigners Act, 1939:

1. No. 1/17/44-Poll. (E), dated the 15th April 1944.
2. No. 1/19/44-Poll. (E), dated the 20th April 1944.
3. No. 1/22/44-Poll. (E), dated the 2nd May 1944.
4. No. 1/24/44-Poll. (E), dated the 9th May 1944.
5. No. 1/24/44-Poll. (E), dated the 21st Sept. 1944.
6. No. 1/24/44-Poll. (E), dated the 21st Sept. 1944.

7. No. 1/28/44-Poll. (E), dated the 16th June 1944.
8. No. 1/29/44-Poll. (E), dated the 22nd June 1944.
9. No. 1/30/44-Poll. (E), dated the 12th Sept. 1944.
10. No. 1/31/44-Poll. (E), dated the 22nd June 1944.
11. No. 1/32/44-Poll. (E), dated the 27th June 1944.
12. No. 1/33/44-Poll. (E), dated the 27th July 1944.
13. No. 1/34/44-Poll. (E), dated the 29th July 1944.
14. No. 1/35/44-Poll. (E), dated the 9th August 1944.
15. No. 1/36/44-Poll. (E), dated the 15th August 1944.
16. No. 1/38/44-Poll. (E), dated the 22nd August 1944.
17. No. 1/39/44-Poll. (E), dated the 14th Oct. 1944.
18. No. 1/43/44-Poll. (E), dated the 11th Sept. 1944.
19. No. 1/45/44-Poll. (E), dated the 7th Oct. 1944.
20. No. 1/46/44-Poll. (E), dated the 25th Sept. 1944.
21. No. 1/47/44-Poll. (E), dated the 4th Oct. 1944.
22. No. 1/48/44-Poll. (E), dated the 7th Oct. 1944.
23. No. 1/49/44-Poll. (E), dated the 18th Oct. 1944.
24. No. 1/52/44-Poll. (E), dated the 27th Oct. 1944.
25. No. 1/53/44-Poll. (E), dated the 26th Oct. 1944.
26. No. 1/54/44-Poll. (E), dated the 3rd Nov. 1944.
27. No. D.2706/44-Poll. (E), dated the 15th April 1944.

No. 1/17/44-POLL. (E),
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 15th April, 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

1. Mr. William K. Miller, and
2. Mr. Holland Hunter,

members of the United States Foreign Economic Administration in India, for so long as they remain in their present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/19/44-POL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 20th April, 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Miss Margaret M. Mallon, U. S. national, Assistant Representative of the Overseas Operations Branch of the United States Office of War Information, for so long as she remains in her present post.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/22/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 2nd May 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not

foreigners, shall not apply to, or in relation to, Mr. Edward R. Barlow of the Overseas Operations Branch of the U. S. Office of War Information, as long as he remains in his present post.

A. W. LOVATT,
Under Secretary to the Government of India.

No. 1/24/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 9th May 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

- (1) Miss Dorothy Goodwin,
- (2) Mr. Andrew V. Corry,
- (3) Mr. Paul Johnstone, and
- (4) Mr. Henry O. Diamond,

United States nationals, for so long as they are employed in India under the supervision of the Special Representative in India of the United States Foreign Economic Administration.

A. W. LOVATT,
Under Secretary to the Government of India.

No. 1/24/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 21st September 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), and in partial supersession of the Home Department Declaration of Exemption No. 1/24/44-Political (E), dated the 9th May 1944, the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to Mr. Henry O. Diamond, U. S. citizen an employee of the United States Office of War Information, for so long as he remains in his present employment.

A. W. LOVATT,
Deputy Secretary to the Government of India.

No. 1/24/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 21st September 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Messrs. Wallace M. Larson and William A. Gheradi, U. S. citizens, members of the Foreign Economic Administration China Mission staff for work in India, for so long as they remain in their present employment.

A. W. LOVATT,
Deputy Secretary to the Government of India.

No. 1/28/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 16th June 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to Messrs. Arthur Hale, Gustaf Adolph Sword, Robert Arthur Jones, George Vivian Sayles and Paul Sebestyen, members of the U. S. Office of War Information, for so long as they remain in their present employment.

A. W. LOVATT,
Under Secretary to the Government of India.

No. 1/29/44-POLL. (E).
 GOVERNMENT OF INDIA.
 HOME DEPARTMENT.
 Simla, the 22nd June 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Miss Ruth Merrell, an American national, and an employee of the United States Foreign Economic Administration Office in India, for so long as she remains in her present employment.

A. W. LOVATT,
 Under Secretary to the Government of India.

No. 1/30/44-POLL. (E).
 GOVERNMENT OF INDIA.
 HOME DEPARTMENT.
 Simla, the 12th September 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

Mr. Thomas A. Goss, Business Manager in the U. S. Office of Foreign Economic Administration at New Delhi, for so long as he remains in his present employment.

A. W. LOVATT,
 Deputy Secretary to the Government of India.

No. 1/31/44-POLL. (E).
 GOVERNMENT OF INDIA.
 HOME DEPARTMENT.
 Simla, the 22nd June 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

(1) Mr. W. L. Shinnick, clerk in the Bombay office of the U. S. Office of War Information,

(2) Mr. Lloyd Griffin, in charge of the U. S. Office of War Information Operations in Calcutta,

(3) Mr. Porter McKeever,

(4) Miss Helen Gwynn,

(5) Mr. Charles A. Caldwell,

(6) Mr. J. R. Andrus,

(7) Mr. John Dwyer,

(8) Mr. Stanley Allen, and

(9) Mr. C. R. Horton,

} employed in the Psychological Warfare Section of the United States Office of War Information.

for so long as they remain in their present employment.

A. W. LOVATT,
 Under Secretary to the Government of India.

No. 1/32/44-POLL. (E).
 GOVERNMENT OF INDIA.
 HOME DEPARTMENT.
 Simla, the 27th June 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Mani Sanesen, a Siamese national.

A. W. LOVATT,
 Under Secretary to the Government of India.

No. 1/33/44-POLL. (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 27th July 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to or in relation to, Mr. James V. Sampselle, Port Engineer in the U. S. War Shipping Administration, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/34/44-POLL. (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 29th July 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, (1) Mrs. Martha M. deWilde, Office Manager, U. S. Foreign Economic Administration; (2) Mrs. Selma Y. Janow, employee of the U. S. Foreign Economic Administration; (3) Mr. Franklin E. Griffin; (4) Mr. William Henry Moroney; and (5) Mr. Harold Kraus, Assistants in the U. S. War Shipping Administration, for so long as they remain in their present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/35/44-POLL. (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 9th August 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Robert B. Landis, a member of the U. S. Foreign Economic Administration, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/36/44-POLL. (E.)

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 15th August 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. John L. Plank, Foreign Representative for the Recruitment and Manning Organization of the War Shipping Administration at Calcutta, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/38/44-POLL. (E).

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 22nd August 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Robert G. McClurkin, an employee of

the U. S. Foreign Economic Administration, for so long as he remains in his present employment.

A. W. LOVATT,
Under Secretary to the Government of India.

No. 1/39/44-POLL. (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 14th October 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

1. Miss Sevilla McMillan,
2. Miss Flora B. Ludington,
3. Miss Lucille Dudgeon,
4. Miss Nancy Bean,
5. Mr. Collin McMillan,
6. Mr. Harold Courlander,
7. Miss Florence F. Brown,
8. Mrs. Betty T. Friendlich,
9. Miss Priscilla Leslie,
10. Miss Eugenia Bedell,
11. Mr. Teg. Grondahl,
12. Mr. Fred Rosenhauer,
13. Mr. Oren Stephens, and
14. Mr. Sydney B. Wood,

for so long as they continue to be employed in the United States Office of War Information

A. W. LOVATT,
Under Secretary to the Government of India.

No. 1/43/44-POLL. (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 11th September 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

1. Mr. James L. McCamy, U. S. citizen, being sent by the United States Foreign Economic Administration on an inspection trip to India, and
2. Mr. Lester H. Christen, U. S. citizen, being sent by the United States Foreign Economic Administration as a member of a mission sponsored by the Army-Navy Petroleum Board, the British Government and the Foreign Economic Administration, to determine the necessary requirements of drum sheet, tin and terneplate for plants in India, for so long as they remain in their official capacity.

A. W. LOVATT,
Deputy Secretary to the Government of India.

No. 1/45/44-POLL. (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 7th October 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

1. Mr. Harvey Leonard Shephard, a member of the U. S. Foreign Economic Administration, at Calcutta,
2. Mr. Philip L. Kelser, a representative of the U. S. Foreign Economic Administration, who is on an inspection trip,
3. Mr. Bernhard J. Paulson,
4. Mr. B. McCarty, and
5. Mr. James R. Billman, clerks in the U. S. Mission, for so long as they remain in their present posts.

A. W. LOVATT,
Deputy Secretary to the Government of India.

No. 1/46/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 25th September 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mrs. Beatrice B. Whitham, U. S. citizen, an employee of the U. S. Consulate at Bombay, for so long as she remains in her present employment.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/47/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 4th October 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

(1) Miss Frances W. Page, Clerk in the U. S. Consulate at Bombay.

(2) Mr. Berry O. Baldwin, Chief of the Stock Records and Control Section of the China Supply Division of the Foreign Economic Administration, New Delhi.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/48/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 7th October 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to,—

1. Miss Ruth Teasdale,
2. Mrs. Marjorie Clubb,
3. Miss Helen Kirkpatrick, and
4. Miss Elinor N. Stevens,

United States citizens, clerks, in the U. S. Consulate at Calcutta, for so long as they remain in their present employment.

A. W. LOVATT,

Deputy Secretary to the Government of India.

No. 1/49/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 18th October 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Walter C. Hand, U. S. citizen, Business Manager of the United States Foreign Economic Administration Office at New Delhi, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/52/44-POLL. (E).
GOVERNMENT OF INDIA.
HOME DEPARTMENT.
Simla, the 27th October 1944.
DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of

rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Lee G. Seymour, U. S. citizen, for so long as he is employed with the Foreign Economic Administration, China Mission, New Delhi.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/53/44-POLL. (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 26th October 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to Mr. Arthur W. Smith, U. S. citizen Port Representative of the United States War Shipping Administration, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. 1/54/44-POLL. (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 3rd November 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners shall not apply to, or in relation to Mr. Robert M. Bruns, U. S. citizen, Attaché in the Office of the Personal Representative of the President of the United States at New Delhi and American Vice-Consul at Calcutta, for so long as he remains in his present employment.

A. W. LOVATT,

Under Secretary to the Government of India.

No. D. 2706/44-POLL. (E).

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

Simla, the 15th April 1944.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the Provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Raymond Gerald Sweeney, an U. S. national and an employee of the United Seamen's Service, Incorporated, 39 Broadway, New York City, for so long as he is so employed.

A. W. LOVATT,

Under Secretary to the Government of India.

NOTIFICATIONS UNDER THE CENTRAL EXCISES AND SALT ACT.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I lay on the table a copy of each of the following notifications in accordance with section 38 of the Central Excises and Salt Act, 1944:

1. No. 5-Camp, dated the 18th March 1944.
2. No. 6-Camp, dated the 18th March 1944.
3. No. 7-Camp, dated the 18th March 1944.
4. No. 8-Camp, dated the 18th March 1944.
5. No. 9-Camp, dated the 25th March 1944.
6. No. 10-Camp, dated the 1st April 1944.
7. No. 2, dated the 6th May 1944.
8. No. 7, dated the 6th May 1944.
9. No. 8, dated the 6th May 1944.

10. No. 9, dated the 13th May 1944.
11. No. 10, dated the 13th May 1944.
12. No. 11, dated the 27th May 1944.
13. No. 12, dated the 27th May 1944.
14. No. 9, dated the 30th September 1944.
15. No. XI-D, dated the 11th March 1944.
16. No. 14, dated the 28th October 1944.

GOVERNMENT OF INDIA.
FINANCE DEPARTMENT (CENTRAL REVENUES)
New Delhi, the 18th March 1944

NOTIFICATION
SALT.

No. 5-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No. 5-Salt, dated the 4th February, 1928, namely:—

In the said Rules—

(i) For rule 1, the following rule shall be substituted, namely:—

“(1) In these rules, “Collector” means the Collector of Central Excise, Calcutta; and “Assistant Collector” means an Assistant Collector of the Department of Central Excise, Calcutta.”

(2) In rule 2, for the words “through the Collector of Customs to the Provincial Government of Orissa” the words “to the Collector” shall be substituted.

(3) In rule 3, the words “of Customs” shall be omitted.

(4) In sub-rule (1) and clause (v) of sub-rule (2) of rule 4, sub-rule (1) of rule 5, sub-rule (2) of rule 6 and rules 7 and 10, for the words “Collector of Customs” wherever they occur, the words “Assistant Collector” shall be substituted.

(5) In clause (c) of sub-rule (1) of rule 6, for the words “deputed on behalf of Central Government” the words “deputed by the Central Excise Department” shall be substituted.

(6) In rule 8, for the words “authorised by the Collector of Customs or by any officer of the Salt or other Department of a province other than Orissa” the words “of the Central Excise Department, Calcutta authorised by the Collector or any officer of the Central Excise Department of a province other than those within the jurisdiction of the Collector of Central Excise, Calcutta” shall be substituted.

(7) In sub-rule (1) of rule 11, for the words “Central Government” the words “Collector” shall be substituted.

(8) After rule 11, the following rule shall be inserted, namely:—

“12. An appeal shall lie from an order of the Assistant Collector under these rules to the Collector and from any order of the Collector to the Central Board of Revenue.”

GOVERNMENT OF INDIA.
FINANCE DEPARTMENT (CENTRAL REVENUES).
New Delhi, the 18th March 1944.

NOTIFICATION
SALT

No. 6-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following amendments shall be made in the Central Excise Rules, 1944, namely:—

In rule 101 of the said Rules, in sub-rule (1) after the word “Berar”, and in sub-rule (2) after the word “Madras”, the following shall be inserted, namely:—

“and the territories transferred from the Presidency of Madras to the Province of Orissa by the Government of India (Constitution of Orissa) Order, 1936”.

GOVERNMENT OF INDIA.
FINANCE DEPARTMENT (CENTRAL REVENUES).
New Delhi, the 18th March 1944.

NOTIFICATION
SALT.

No. 7-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following amendments shall be made in the North Orissa Salt (Village Manufacture and Storage) Rules, 1943, namely:—

In the said Rules—

(1) In sub-rule (3) of rule 1, for the words “Government of Orissa in the Orissa Gazette” the words “Central Government in the Official Gazette” shall be substituted.

(2) For rule 2, the following rule shall be substituted, namely:—

"2. *Definitions*.—In these rules unless there is anything repugnant in the subject or context,—

(i) "Assistant Collector" means an Assistant Collector of the Department of Central Excise, Calcutta;

(ii) "Collector" means the Collector of Central Excise, Calcutta;

(iii) "Contractor" means a person appointed by the Government of Orissa for collection on their behalf of salt manufactured in accordance with these rules;

(iv) "Duty" means the duty payable under the Central Excises and Salt Act, 1944 (I of 1944);

(v) "Inspector" means an Inspector of the Department of Central Excise, Calcutta;

(vi) "Salt" means salt manufactured in accordance with these rules;

(vii) "Warehouse" means a warehouse established in accordance with rule 5;

(viii) "Warehouse Officer" means an officer appointed by the Government of Orissa to be in charge of a warehouse."

(3) In sub-rule (2) of rule 4 and in sub-rules (1) and (2) of rule 5, for the word "Collector" the words "Government of Orissa" shall be substituted.

(4) For rules 7, 8 and 9 the following rules shall be substituted, namely:—

"7. *Officers in charge of Warehouse*.—Each warehouse shall be in charge of an Officer called "Warehouse Officer" appointed by the Government of Orissa for purchase and sale of salt and an Inspector.

8. *Procedure at Warehouse*.—(1) Immediately after the arrival of each consignment of salt at a warehouse, the Warehouse Officer shall cause the same to be weighed in the presence of the Inspector, record the result of weighment in the prescribed registers, and shall forthwith store the same in the warehouse.

(2) The Central Government shall not in any manner be liable for the price of the salt to the manufacturer or to the Contractor or to the Government of Orissa or for any damage howsoever caused to any salt stored in any warehouse or any 'hat' depot or while in transit from one place to another.

9. *Keys of the Storage Godown*.—The storage godown in each warehouse shall be locked with two locks, the key of one remaining with the warehouse Officer and of the other with the Inspector."

(5) In rule 10—

(i) in sub-rule (1) for the words "Central Excise and Salt Department" and "Government of Orissa", the words "Central Excise Department" and "Collector" shall be substituted respectively.

(ii) in sub-rule (2) for the words "Warehouse Officer", "Contractor" and "Collector" wherever they occur, the words "Inspector", "Warehouse Officer" and "Assistant Collector" shall be substituted respectively.

(6) In rule 11—

(i) In sub-rule (1) for the words, figures and brackets "Indian Salt Act, 1882 (XII of 1882)" the words, figures and brackets "Central Excises and Salt Act, 1944 (I of 1944)" shall be substituted;

(ii) for the word "Collector" wherever it occurs, the words "Assistant Collector" shall be substituted.

(7) In rules 12 and 15, for the words "Commissioner of Excise and Salt, Orissa" wherever they occur, the word "Collector" shall be substituted.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES)

New Delhi, the 18th March 1944.

NOTIFICATION.

SALT.

No. 8-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No. 21-Salt, dated the 19th May, 1934, namely:—

I. In the said Rules—

(1) For sub-rule (2) of rule 1, the following sub-rule shall be substituted, namely:—

"(2) In these rules,—

(a) "the Act" means the Central Excises and Salt Act, 1944 (I of 1944);

(b) "Assistant Collector" means an Assistant Collector of the Department of Central Excise, Calcutta and includes any officer especially authorised by the Collector to exercise throughout the area to which these Rules apply all or any of the powers of the Assistant Collector under these Rules;

(c) "Collector" means the Collector of Central Excise, Calcutta;

(d) "duty" means the duty payable under the Act;

(e) "Inspector" means an Inspector of the Department of Central Excise, Calcutta and includes any other officer of that Department duly empowered in this behalf by the Collector

(f) "manufacture" means every process by which salt is separated from brine or from earth or any other liquid or substance and includes every process for the purification or refinement of saltpetre;

(g) "Superintendent" means a Superintendent of the Department of Central Excise, Calcutta; and

(h) "Supervisor" means a Supervisor of the Department of Central Excise, Calcutta."

(2) In rule 3, for the words "Collector of the district in which it is desired to carry on the manufacture, and the Collector" the words "Assistant Collector, Orissa Division, who" shall be substituted.

(3) In sub-clauses (ii), (iii), (iv), (v), (vi), and (vii) of clause (d) of rule 4, and in rules 6, 10, 11, 12, 15, 16, 19 and 21, clause (b) of rule 22, and rules 23, 31, 38, 43, 48, 52; 54; 55, 57 and 59, for the word "Collector" wherever it occurs, the words "Assistant Collector" shall be substituted.

(4) In sub-clause (ii) of clause (d) of rule 4 and in rules 7, 8, 9, 15, 20, 21, 22, 24, 25, 31 and 48, for the words "Store Officer", "works officer" and "Works Officer or the Store Officer" wherever they occur, the word "Inspector" shall be substituted.

(5) In sub-clause (iii) of clause (d) of rule 4, for the words "by Government" the words "by the Central Government" shall be substituted.

(6) In sub-clause (vii) of clause (d) of rule 4, for the words and figures "under the Bihar and Orissa Public Demands Recovery Act, 1914, as a public demand and payable to the Collector", the words "as if it were arrears of land revenue" shall be substituted.

(7) In rules 5, 12 and 13, sub-rule (2) of rule 15 and rules 34, 36, 40, 41, 43, 44, 45, 47, 48 and 57 the words "of Excise and Salt" shall be omitted.

(8) In sub-rule (1) of rule 15 and in rules 23 and 30 for the words "Excise and Salt" the words "Central Excise" shall be substituted.

(9) In sub-rule (2) of rule 24, for the words "Commissioner of Excise and Salt" the words "Central Board of Revenue" shall be substituted.

(10) In rules 28 and 41, for the words "Commissioner of Excise and Salt" the word "Collector" shall be substituted.

(11) In rules 35 and 36, for the words "salt or police" the words "Central Excise" shall be substituted.

(12) In rule 39, for the words "Salt Department, whose grade is not lower than that of a Sub-Inspector" the words "Central Excise Department not below the rank of a Supervisor" shall be substituted.

(13) In rule 48 for the words "Commissioner of the Division" the word "Collector" shall be substituted.

(14) In rule 55 for the figure "9" the figures "10" shall be substituted.

(15) For rule 56, the following rule shall be substituted, namely:—

"56. All licensed works and all premises connected therewith shall be open at all times, by day or by night, to the inspection of any officer not below the rank of Inspector or of any officer deputed by such officer for the purpose."

(16) In rule 58., for the word "Sub-Inspector" the word "Supervisor" shall be substituted.

(17) For rule 60, the following rule shall be substituted, namely:—

"60. (1) Subject to the provisions of these rules, an appeal shall lie from any order of the Superintendent to the Assistant Collector, from any order of the Assistant Collector to the Collector and from any order of the Collector, not being an order passed on second appeal, to the Central Board of Revenue. No appeal shall lie from any order passed by the Central Board of Revenue or from any order passed by the Collector on second appeal.

(2) An appeal under sub-rule (1) shall be accompanied by an authenticated copy of the order against which the appeal is made and shall be submitted through the officer against whose orders it is an appeal.

(3) No appeal under sub-rule (1) shall be admitted unless submitted within 3 months of the date of the order against which the appeal is made.

II. In the Form of license appended to the said Rules, under the heading "Conditions of the License"—

(a) In condition 4, the word "of" shall be omitted.

(b) In conditions 4, 7, 8, 10 (a), 14, 15, 16, 17 (ii) 23, 24, 25, 27, and 28, for the words "Collector" the words "Assistant Collector" shall be substituted.

(c) In conditions 6 and 21, for the words "Works Officer" and "Works Officer and Store Officer" wherever they occur, the word "Inspector" shall be substituted.

(d) In condition 9 (IV), for the words "factory officer" the word "Inspector" shall be substituted.

(e) In condition 10 (c)—

(i) for the words "Commissioner of Excise and Salt", the words "Central Board of Revenue" shall be substituted;

(ii) for the words "Salt Department or whenever" the words "Central Excise Department or whenever" shall be substituted;

(iii) for the words "the Salt Department on his behalf" the words "that Department on his behalf" shall be substituted.

(f) In condition 13, for the word "Government" the words "Central Government" shall be substituted.

(g) In condition 13, 17 (1) and 19, for the words "Salt Department" the words "Central Excise Department" shall be substituted.

(h) In condition 17 (1), the words "and all Gazetted officers of other departments" shall be omitted.

(i) In condition 18—

(1) for the words "Commissioner of Excise and Salt" the word "Collector" shall be substituted;

(2) the words "of Salt revenue" shall be omitted.

(3) for the word "supervisors" the word "staff" shall be substituted.

(j) In condition 24, for the words "by Government" wherever they occur, the words "by the Central Government" shall be substituted.

(k) In condition 28, for the words and figures "under the Bihar and Orissa Public Demands Recovery Act, 1914, as a public demand payable to the Collector", the words "as if it were arrears of land revenue" shall be substituted.

(l) At the end of the said Form, for the word "Collector" the words "Assistant Collector" shall be substituted.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES).

New Delhi, the 25th March 1944.

NOTIFICATION.

SALT.

No. 9-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following amendments shall be made in the notification of the Government of India in the Finance Department (Central Revenues), No. 6, dated the 29th May 1943 and in the rules published therewith, namely:—

I. In the preamble to the said notification—

(a) for the words, brackets and figures "Province of Madras or in the territory transferred from the Presidency of Madras to the Province of Orissa by the Government of India (Constitution of Orissa) Order, 1936, and in the Provinces of Bombay and Sind," the words "Provinces of Madras, Bombay, Orissa, and Sind" shall be substituted;

(b) for the words "Bombay and Madras", the words "Bombay, Madras and Orissa" shall be substituted.

II. In the said rules—

(a) for clause (1) of rule 2, the following clause shall be substituted, namely:—

(1) "Collector" means, in relation to the Province of Sind, the Superintendent of Salt Revenue for Sind, and in relation to the Provinces of Madras, Bombay and Orissa, the Collector of Central Excise, Madras, Bombay and Calcutta, respectively.

(b) in rule 10, for the words "Salt Department" the words "Salt/Central Excise Department" shall be substituted.

III. In the Appendices to the said rules—

(a) in Appendix A—

(i) for the words "current at Madras/Bombay/Karachi" the words "current in British India" shall be substituted;

(ii) for the words "Collector of Salt Revenue, Madras/Bombay" the words "Collector of Central Excise, Madras/Bombay/Calcutta" shall be substituted;

(iii) for the words "Salt Revenue", "Salt Department" and "Salt and Customs" wherever they occur, the words "Central Excise", "Salt/Central Excise Department" and "Salt/Central Excise and Customs" shall be substituted respectively.

(2) In appendix B, for the words "Collector of Salt Revenue, Madras/Bombay" the words "Collector of Central Excise, Madras/Bombay/Calcutta" shall be substituted.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

New Delhi, the 1st April 1944

NOTIFICATION

SALT.

No. 10-Camp.—In exercise of the powers conferred by sub-section (1), read with clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to make the following rule, namely :—

Rule.

Salt removed from saltpetre refineries in the Punjab, the United Provinces, Bihar, Orissa, Delhi or Ajmer-Merwara, is hereby exempted from the duty imposed on salt by section 3 of the Central Excises and Salt Act, 1944 (I of 1944), read with section 2 of the Indian Finance Act, 1944—

(a) in the case of *sitta* (*i.e.*, impure salt unfit for human consumption), to the extent of one rupee and eight annas per standard maund;

(b) in the case of salt other than *sitta*, to the extent of one rupee and one anna per standard maund.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 6th May 1944.

NOTIFICATION.

SALT.

No. 2.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the North-Eastern India Salt Rules, 1939, namely :—

In the said Rules—

(1) In sub-rule (2) of rule 1, for the words "Collector of Central Excises and Salt, North Eastern India" the words "Collector of Central Excise, Calcutta, except Orissa" shall be substituted.

(2) In rule 2—

(a) for clauses (i) and (ii), the following clauses shall be substituted, namely :—

(i) "the Act" means the Central Excises and Salt Act, 1944 (I of 1944);

(ii) "Collector" means the Collector of Central Excise, Calcutta;

(b) clauses (iv) to (x) shall be renumbered as clauses (iii) to (ix) respectively;

(c) in clause (iii) as renumbered for the words "Central Excises and Salt, North-Eastern India" the words "the Central Excise Collectorate, Calcutta", shall be substituted;

(d) in clauses (iv), (v) and (vi) as renumbered for the words "Central Excises and Salt Department, North-Eastern India" the words "Central Excise Collectorate, Calcutta" shall be substituted.

(3) In rule 8, for the words "the following fees" the words "a fee of rupees twenty" shall be substituted and entries (1) and (2) shall be omitted.

(4) In rule 12, for the words "Salt Officer" wherever they occur the words "Central Excise Officer" shall be substituted.

(5) In rule 23, for the figure "9" the figures "10" shall be substituted.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 6th May 1944.

NOTIFICATION.

SALT.

No. 7.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following

further amendments shall be made in the Bengal Salt (Village Manufacture, Storage and Transport) Rules, 1943, namely :—

In the said Rules—

(1) In rule 2—

(a) in Clauses (i) and (v), for the words "Department of Central Excises and Salt, North-Eastern India" the words "Central Excise Collectorate, Calcutta" shall be substituted;

(b) for Clauses (ii) and (iv), the following Clauses shall be substituted respectively, namely :—

(ii) "Collector" means the Collector of Central Excise, Calcutta;

(iv) "duty" means the duty payable under the Central Excises and Salt Act, 1944 (I of 1944);

(2) In sub-rule (1) of rule 11, for the words "Excises and Salt Department, North-Eastern India" the words "Excise Collectorate, Calcutta" shall be substituted.

(3) In sub-rule (1) of rule 12, for the words, brackets and figures "Indian Salt Act, 1882 (XII of 1882)" the words, brackets and figures "Central Excises and Salt Act, 1944 (I of 1944)" shall be substituted.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 6th May 1944

NOTIFICATION.

SALT.

No. 8.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the North-Eastern India Salt Rules, 1939, as amended from time to time, shall apply *mutatis mutandis* to the territories within the jurisdiction of the Collector of Central Excise, Allahabad, provided that a fee of rupees fifty and twenty for each year or part of a year shall be levied in the United Provinces and the Province of Bihar respectively for a licence for the refinement of Saltpetre and the reduction of Salt therefrom.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 13th May 1944.

NOTIFICATION.

SALT.

No. 9.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the North-Western India Salt Rules, 1931, namely :—

In the said Rules—

(1) In sub-rule (2) of rule 1, for the words "Excises and Salt, North-Western India" the words "Excise, Delhi" shall be substituted.

(2) In rule 2, for the words, brackets letter and figure "clause (e) of section 6 of the Act" the words, brackets and figures "clause (xix) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), hereinafter referred to as the Act" shall be substituted.

(3) In rules 4, 11, 12, 14, 27 and 31, for the words "Salt Revenue" wherever they occur the words "Central Excise" shall be substituted.

(4) In rules 8 and 9, for the words "Collector", Central Excises and Salt, North-Western India" the words "Collector of Central Excise, Delhi" shall be substituted.

(5) In rule 14 for the words "duly made under it" the words "duly made or deemed to be made under it" shall be substituted.

(6) In rules 18, 19, and 20, for the words "Excises and Salt Department, North-Western India" the words "Excise Collectorate, Delhi" shall be substituted.

(7) In rule 25, for the words "salt officer" wherever they occur the words "Central Excise Officer" shall be substituted.

(8) In rule 27, after the word "made" the words "or deemed to be made" shall be inserted.

(9) In rule 29, after the word "rules" the words "made or deemed to be made" shall be inserted.

(10) In rule 36 for the figure "9" the figures "10" shall be substituted.

(11) In rule 39, for the words and figures "section 3 of the Indian Salt Act, 1882" the words and figures "section 2 of the Act" shall be substituted.

GOVERNMENT OF INDIA.
FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 13th May 1944

NOTIFICATION.

SALT.

No. 10.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the notification of the Government of India in the Finance Department (Central Revenues), No. 1-Salt, dated the 12th January 1935 and in the rules published therewith, namely:—

I. In the preamble to the said notification for the words 'Collector, Central Excises and Salt North-Western India' the words 'Collector of Central Excise, Delhi' shall be substituted.

II. In the said Rules—

(a) in clause (2) of the proviso to rule 1 and in rule 11, for the words 'Salt Department' the words 'Central Excise Collectorate' shall be substituted;

(b) in rule 2, for the words 'Assistant Collector, Central Excises and Salt, North-Western India' the words 'Assistant Collector of the Central Excise Collectorate, Delhi' shall be substituted;

(c) in rules 8, 11 and 12 for the words 'Excises and Salt Department, North-Western India' the words 'Excise Collectorate, Delhi' shall be substituted;

(d) in rule 11, for the words 'Collector, Central Excises and Salt, North-Western India' the words 'Collector of Central Excise, Delhi' shall be substituted.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 27th May 1944.

NOTIFICATION.

SALT.

No. 11.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following amendments shall be made in the Notification of the Government of India in the Finance Department (Central Revenues), No. 24-Salt, dated the 9th December 1939, namely:—

In the said notification—

(i) for the words 'Collector of Central Excises and Salt, North-Eastern India' the words 'Collectors of Central Excise, Calcutta and Allahabad' shall be substituted;

(ii) for the words 'Province of Bengal' the words 'Provinces of Bengal and Orissa' shall be substituted.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 27th May 1944.

NOTIFICATION.

SALT.

No. 12.—In exercise of the powers conferred by clause (i) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to cancel the notification of the Government of Orissa in the Law, Commerce and Labour Department, No. 7752-Com., dated the 23rd November 1938.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 30th September 1944.

NOTIFICATION.

CENTRAL EXCISE.

No. 9.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that with effect from

the 1st October, 1944, the following further amendments shall be made in the Central Excise Rules, 1944, namely:—

In the said Rules—

- (1) in clause (ii) of rule 2—
 - (a) sub-clause (a) shall be omitted;
 - (b) in sub-clause (d), for the words "Province of Madras" the words "Provinces of Madras and Coorg", shall be substituted;
- (2) in rule 201, the words "In the Province of Coorg, the Chief Commissioner, and elsewhere in British India" and the words "his or" shall be omitted.
- (3) in Appendix III, under the heading "Sections 14 and 21"—
 - (a) in item (i) for the words "province of Madras" the words "Provinces of Madras and Coorg" shall be substituted;
 - (b) in item (iii), for the words "Provinces of Sind and Coorg", the words "Province of Sind" shall be substituted.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 11th March 1944

NOTIFICATION

CENTRAL EXCISES.

No. XI-D.—In exercise of the powers conferred by sections 6, 12 and 37 of Central Excise and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following amendment shall be made in the Central Excise Rules, 1944, namely:—

In sub-rule (2) of rule 1 of the said Rules, after the word "including" the words "British Baluchistan and" shall be inserted.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES).

Simla, the 28th October 1944

NOTIFICATION

SALT.

No. 14.—In exercise of the powers conferred by section 37 of the Central Excise and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely:—

In Chapter VI of the said Rules, for Rule 112 the following Rule shall be substituted:—

"112. *Retention of salt works, for which licences have been relinquished or cancelled, to be determined by Collector.*—Salt works for which licences have been cancelled or relinquished shall be at the disposal of the Collector, who shall determine whether the salt works shall be retained within the salt factory or not.

(a) If the Collector directs that the salt works shall be retained within the factory, the proprietary right of other persons therein, if any, shall thereupon vest in His Majesty and the Collector shall pay the value of such proprietary right to the late licensee. In calculating such value the value of the land as a site for salt manufacture shall not be taken into account. The Collector shall, if he admits the existence of such proprietary right, tender to the late licensee such sum as he considers to represent the value thereof, and if the sum tendered is not accepted or such proprietary right is not admitted by the Collector, he shall refer the late licensee to a Court of competent jurisdiction.

(b) If the Collector directs that the salt works shall not be retained within the factory he shall exclude them from the limits thereof and no payment for the value of any proprietary right shall be made.

(c) Whether or not the salt works are retained within the factory and the value of any proprietary right is payable, the Collector shall, in respect of salt works for which licences have been cancelled otherwise than for a breach of the conditions thereof or on conviction by a Magistrate for an offence under the Act, pay to the late licensee compensation at the rate fixed under rule 114:

Provided that no compensation under this rule shall be payable, if it is excluded by express stipulation in the conditions of the licence".

R. J. PRINGLE,

Deputy Secretary to the Government of India.

14/C. No. 150-SALT/44.

Copy forwarded to all Collectors of Central Excise and the Secretary to the Government of Sind, Revenue Department, Karachi.

By order, etc.,

R. J. PRINGLE,

Deputy Secretary to the Government of India.

THE BANKING COMPANIES BILL

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I beg to move for leave to introduce a Bill to consolidate and amend the law relating to banking companies.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to consolidate and amend the law relating to banking companies."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE INDIAN RICE COMMITTEE BILL—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed to discuss the motion moved by Mr. Tyson.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I made my position clear yesterday that although I am definitely of opinion that research on rice is absolutely necessary, at the same time I am also of opinion that this Bill as it stands will serve no useful purpose. I do not find any serious attempt made for real research on this vital problem. The provisions of the Bill are not such as to encourage any hope of real work.

Sir, yesterday I was dealing with the question as to the sort of committee that is proposed to be set up. I shall now come to the composition of the Committee. The Committee is to consist of 51 members and in view of the very small powers given to it it seems to me that the proposed committee is nothing better than a department of Government.

Then, Sir, I am interested in the representation given to my province of Bengal. Bengal, as is well known, has the largest acreage under rice, which is almost one-third of the entire area in India. And the production also is more than one-third of the entire production of rice in India. In sub-clauses (h) and (i) of clause 4 I find that the representation has been distributed among the different provinces, making some distinction between one province and another; and from the number of seats given to different provinces it is clear that the idea was to give seats on the basis of production or of the acreage under rice. On that basis I find in sub-clause (i) that three seats have been given to Bengal,—out of 14 persons representing rice-growers,—and two to Madras which is the second province in the matter of rice production. I do not quarrel with that. But in sub-clause (h) I find that out of twelve persons representing the rice industry and trade, two will be from Bengal instead of three. I do not understand this. On the basis of production and acreage more seats have been given to the rice growers of Bengal than Madras, and the same number (three) should have been given to Bengal to represent the rice industry and trade. I do not want any decrease for Madras: I hope I shall not be misunderstood. I only propose the same number in (h) as in (i).

Then with regard to the last clause under which the Central Government will appoint additional members up to five, I do not object to this safety valve, but I submit that these five seats should not go to officials but to non-officials; because, for officials there is plenty of representation in clauses (a) to (f).

Then about representation of trade and industry. I find in sub-clause (g) that two persons will represent the rice milling industry, one nominated by the Associated Chambers of Commerce and the other by the Federation of Indian Chambers of Commerce. I do not understand why any distinction should be made between the rice industry and rice trade. My suggestion is some representation should be given to general commercial interests. I suggest that four seats should be given to commercial interests.

As regards the functions of the committee, they are laid down in clause 9. Although this clause is entitled 'Application of Fund', it really prescribes the

functions of this committee in sub-clause (2). I find that the programme is really comprehensive and very ambitious. If these functions which are assigned to the Committee are carried out properly and faithfully, it will certainly go a long way towards the improvement of rice position. But the misfortune is that although it is an ambitious programme, it is without any financial aid. What, after all, is the money proposed to be given to this Committee? The solution of food problem is certainly the business of the State, but we find that no contribution is made by the Government either initial or recurring. The whole burden has been laid either to the millowners, or to the growers, or to the traders. And not a *kauri* has been given by Government for this purpose, and that is my fundamental objection to the Bill.

In view of what has occurred lately, in view of the Bengal famine, in view of the scarcity of food almost all over the country, whose duty it is to pay for research in regard to the cultivation, production and marketing of rice and rice products? It is the primary duty of the Government; of all other duties, this is the foremost duty so that every man, woman and child can live. But for this work Government will not make any contribution at all; it has laid the whole burden on the trade. And what is the amount that is required for this committee? A sum of 54 lakhs of rupees only. In view of the ambitious programme which has been chalked out for this committee, it is certainly very small indeed, and yet this amount cannot be spared by the Government. How many lakhs and lakhs of rupees have been expended by the Government in all quarters in these days, but the burden of 54 lakhs of rupees is being thrown on the shoulders of the people. For that reason I am opposed to this Bill.

In regard to functions, I feel, Sir, that there is one function which is technically allotted to the committee—Grow More Food. If you want to grow more food, you must encourage the growers and you cannot encourage the growers unless you assure them a proper return for their cultivation. That is one of the aspects of the problem which must be gone into. This question was considered by the planning conference in 1934. My submission is that this function of the Committee (which is covered by the all-comprehensive terms of functions laid down in clause 9)—namely, to advise the Government on this economic problem, as to how a fair price can be effected and how the agriculturists can be assured of a minimum return, should be specifically allotted to the committee with particular reference to the return which the cultivator will get and the imports of rice from abroad.

There are one or two other matters which require consideration. For instance, clause 13 gives power to inspect mills and take copies of records and accounts. This will certainly be a fresh source of harassment to the mill-owners. Power is given to the Collector or any such officer to inspect the mills and take copies of records. It is laid down in sub-clause (2) that "the Collector or any such officer may at any time with or without notice to the owner, examine the working records . . .". That is a drastic provision. Such an examination without notice is not contemplated even by the Income-tax Department. This provision—namely, records and accounts may be examined without notice—is very objectionable.

In the same clause, power is given to the Collector or any other authorised officer, "to examine any record or account containing the description or formulae of any trade process". I do not understand how this is necessary for research.

Recently in some of the Axis countries there has been a new concept of food as an all round political and military instrument. I do not know whether that concept has been adopted by our Government. The other day a certain gentleman heard some British officers say that famine would help them from a military point of view. Although I have no faith in the sincerity and wishes of the British Government, I do not go so far as to believe that there are an appreciable number of British officials who would like to bring about famine as a military weapon. Be that as it may, certainly it was the duty of the Government to make better provision for food in India.

[Mr. Akhil Chandra Datta]

Yesterday, my Honourable friend Mr. Hooseinbhoj Lalljee was preaching a homily as regards the virtues of research. Since people were starving, why not have a research department immediately without circulation; as if to say that the provisions of this Bill, as soon as it was enacted, would bring salvation to India with regard to food. My submission is that whether it is a political or military instrument this research department should have been established very much earlier, and the research should have been serious and intensive. We have made many attempts for promoting agriculture. All these efforts have failed because there was no sincerity in those efforts. India can grow far larger quantities of rice than it has been producing hitherto. Therefore you should find out the causes for this shortage and devise methods to improve the production. I have every sympathy with the averred object of this Bill

The Honourable Sir Jogendra Singh (Member for Education, Health and Lands): Can anything be more serious than placing the research scheme of rice in your own hands?

Mr. Akhil Chandra Datta: But the fact is that it has not been placed in my hands. It is not a *bona-fide* Committee. No powers have been given to the Committee. The Committee cannot even appoint its own Secretary. Look at clause 17 of the Bill. It reveals the real character of the Committee. My submission is that having regard to the Bill as to the powers of the Committee *vis-a-vis* the Central Government, it is absolutely clear that it is a committee without powers. It is a puppet committee. Therefore, when Sir Jogendra Singh asks whether we do not want research, we say we do certainly, but we also want a sincere attempt to have a research.

Some Honourable Members: The question be now put.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): It is not without great embarrassment that I rise to oppose this Bill. Both on public and on private grounds I experience this embarrassment: on public grounds because such Bills are invariably of a plausible nature and the language in which they are couched is such that an ordinary person is likely to fall into a trap and feel that a great deal of good is likely to be the outcome of such measures: on private grounds because the Honourable and venerable Member of the Viceroy's Council, who is really in charge of this Bill, is bound to me and I to him by a thousand ties. He, as one of the greatest friends of my father, was always a most welcome guest in our house in Benares, and as a boy I always looked forward to his visits, and I have always held him in great respect. It would have given me no end of pleasure to support anything that he said or did; and I find myself very unhappy that I should have to oppose a measure which I understand he thinks will be a lasting monument to his service as a member of the Government of India. I am sorry that I should feel inclined to try to kill that child of his old age when I a child of his younger years should wish to live for a long time yet myself.

Sir, I have always said to this House that I was a very simple person, without any pretensions to complicated processes of reasoning. I am not always attracted to the language of law. What I want to know is how that law is to be applied; and with such experience as we all have of the manner in which laws are actually worked in our country, I feel that we must be very chary when we give our consent to any such measure. So far as I have been able to find out from a careful reading of this Bill (and I have read it as carefully as it is possible for me to do), its main object is to constitute a committee; and the main purpose of that committee is to consolidate itself. It will have its officers, it will have its servants, it will look after its own interests more than the work with which it will be supposed to be entrusted. My friend Mr. Essak Sait told us yesterday, from his experience of another committee, that that committee spent more money on its administrative side than for the purpose for which it was intended. A careful examination of the budgets of the Central and Provincial Governments will tell the same tale. So important

have servants of Government become (and the servants of this committee will have the same status, according to the Bill, as Government servants), that, as we know, in the official publications of this Government, the word servant is written actually with a capital letter against all rules of grammar, which I and my friends here have been taught in our earlier years. The Indian Civil Service is written with capital letters. The interests of the services are taken primarily into consideration, not the interests of those for whom these services are meant; and the interests of the services themselves are the primary concern of the Government and the people as a whole.

I fear that this committee will also go the way that all such committees, whether Government or *quasi*-Government, have gone in the past. Of course the Government is anxious that due provision should be made as to how the committee is to feed itself; and therefore there is an enforced levy and certain classes of the people will be forced to pay a certain amount of money in order that that committee should exist. That naturally means an addition to the cost of consumers. It is all very well to say that the cost is infinitesimal. All taxes are infinitesimal. Many persons in the villages only pay four annas or eight annas as rent or revenue or tax; but all these four and eight annas put together make the colossal figures with which the Government budgets deal. I am not going to be side-tracked by the mere mention of the fact that the tax is a very small figure. Then who ultimately pays? It is not the hullers. Who will be taxed under this Act? On whom will the levy fall? Who will really pay? The consumers will have to pay. The growers will have to pay, and we all know that whenever a small tax or a small levy is laid by Government, actually people have to pay far more than they should be required to pay, because there is always the pretence by the persons concerned that there is an extra tax to pay. The person who pays the levy pays a little less to the person from whom he buys the stock on which the levy is to be paid by saying that there is a levy. The tax has got to be paid by someone and so the tax is passed on to the others.

As regards the objects for which this committee is being constituted, I think that the Imperial Council of Agricultural Research, such as it is, should be able to further all those objects. There is no necessity of another committee. My Honourable and venerable friend said that he was sure that if researches were undertaken there would be an addition of four maunds per acre in the production of rice. If the Honourable Member has already made the necessary research, because of which he has come to this conclusion that there would be an addition of four maunds per acre, why does he not apply the results of that research straightaway instead of asking for further researches. When he is so sure that there would be an increase of four maunds per acre, simple-minded as I am, I take it that the Honourable Member has made his calculation as a result of the researches that he has made and has come to that definite conclusion. If the researches have been made, if the conclusions have been arrived at, I see no reason for further researches through this committee.

I do dislike the procedure that will be adopted under the terms of this Bill. There will be endless returns to make. We have had some experience of the way in which returns are demanded and returns are made. An Honourable friend from this side of the House has already spoken about the supposed shortage of paper. While we are starved on the one side so far as our requirements of paper are concerned, we are asked to make endless returns, which, I take it, must be made on paper and not on leaves of trees. I do not know how Government will find the extra paper necessary for such returns.

Then, Sir, the harassment that is caused in the demand for such returns is a thing to which I must take strong exception. There will be an extra cost that all persons concerned will have to undergo. Many shops have proprietors who look after all the departments of the activities of the shop themselves and who are not very literate. Many shops I know under the existing laws of control and other regulations have had to employ extra clerks in order to fill up the required returns. I do not see any reason why we should force these

[Mr. Sri Prakasa]

persons to employ extra clerks. It seems to me that the sole purpose of Government is just to give orders and we all in the land exist only to obey those orders. The Government never cares to see whether its orders are imposing an additional burden on the people or not; and if there is any so-called disobedience to any order, the punishment is prompt. Then we find the inevitable Collector coming into this Bill. Now let there be no mistake that the Collector is also the District Magistrate and neither he nor any other people with whom he has to deal, can ever forget that the man is not only a Collector but is also invested with vast magisterial powers. He can enter these mills, he can inspect these mills, he can ask his subordinates in cases of dispute to seal the books. We know what the result of this inspection and this sealing is. I am sorry to say that all these methods lead to bribery and corruption. It is all very well for Honourable Members opposite to say that there should be no bribery, there should be no corruption. But these are facts and Government does nothing to check them. Their very laws are so complicated that they actually encourage bribery and corruption; and just as in control shops many inspectors have their mouths shut because of the supply of cloth and other materials to them free of all costs, so I have no doubt that the Inspectors of this industry will also have their mouths shut by a supply of bags of rice free of all costs.

Then let us see to the punishment. That always falls on the non-official. There is no provision for the punishment of officials, for their misdoings. Of course I shall be shown clause 14(2), wherein, curiously enough, the Collector is also liable to imprisonment for certain acts. Whoever heard of a collector being prosecuted and sent to prison for six months? I have not heard it and, having been the victim of many Collectors myself and having been persecuted and prosecuted by them, I assure my Honourable and venerable friend opposite that I shall travel a thousand miles to see the prosecution of a single Collector, if he will only inform me that he has caught one on the hip. I do not think there is any police station which would accept a complaint against a Collector, namely, the District Magistrate of the district. However he is going to be punished I do not know. I think this is a misnomer; it is trying to throw dust into our eyes. No Collector in India can be prosecuted; no Collector in India shall be prosecuted—clause 14 or no clause 14! The whole thing will fall on us, all along the line. It is the story of the melon and the knife: whether the knife falls on the melon or the melon on the knife, it is the melon that is cut all the time.

Then, this Collector will be the final authority; he will have absolute powers. Of course there is a provision that if some one is dissatisfied, he may write to the Central Government. No court shall take cognisance of anything done under this Act, but the Central Government may take into consideration such applications as are sent to them. Most of us have experience of applications to the Central and the Provincial Governments; and not only are we familiar with the fact that very often no replies are sent but we also know what troubles we invite upon ourselves by complaining thus. I do not believe that the mere putting into the Act a provision for the making of an application to the Central Government by an aggrieved person, can really bring him any relief. I therefore strongly object to many of the provisions of this Bill, especially to the provisions about forcible entry, about examination, about sealing; and if my proposal to end this Bill here and now is not carried and the Bill is circulated and ultimately gets into a Select Committee, I hope that drastic amendments will be made in order to save the people from unnecessary harassment.

There is in the end also the inevitable rule-making power. The rule-making power which the Government reserves to itself, in all such Acts, gives it practically, a power under which they can so act that the very purpose of the original legislation can be defeated. I am always suspicious of these rule-making powers and I therefore feel that this Bill first of all does not deserve our support and should be put out of court straight off: secondly, if the House

is not agreeable to that procedure, it must see to it that the Bill is amended in various vital particulars. Sir, I oppose the Bill.

Some Honourable Members: The question may now be put.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the question be now put."

The motion was adopted.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands):

Sir, there is a saying about making two bites at a cherry. I do not know how many bites the House has had at my poor little grain of rice! This is about the fourth time that we have returned to it: it must be very appetising. I am grateful to my Honourable friend, Mr. Hoosainbhoy Lalljee for his support of this measure. I agree with him that the setting up of such a committee as we have in mind is an urgent matter. We had hoped to get a select committee during this Session and to get the Bill on the Statute Book at once. That would have enabled us to get the committee working before the next paddy season, the spring of 1945. In view, however, of the evident desire of the House, a desire expressed in several quarters but not in all quarters, to have opinions on the Bill, we have, as I indicated yesterday, agreed from this side of the House to support Mr. Essak Sait's amendment for circulation by the 28th February 1945, and in the circumstances I propose to make only a brief reply to the debate.

I am not quite sure that I altogether followed the attitude of the party immediately opposite me to the Bill. Mrs. Subbaroyan who thinks that the duty will fall on the cultivator considers that the burden will be a very heavy one. Mr. Chetty on the other hand, though he does not like the duty, considers that it is not a heavy levy at all and that it will not much affect either the consumer or the producer. Prof. Ranga wanted the functions of the committee widened: in fact he pointed in contrast to the functions of the Food and Agricultural Organisation of the United Nations. Mr. Chetty on the other hand thought that the functions of any such committee should stop short at the harvest and that marketing and grading and standardisation should be done by some other body. I begin to see why the Congress Party, at all events, want circulation for eliciting opinions. I suspect they have not any opinion of their own about the Bill. My reading of the debate is that the House generally agrees that we ought to be undertaking, and prosecuting with vigour, research into rice, our major food crop. I think Mrs. Subbaroyan was the only member who thought that such matters should not be undertaken while there was still a food shortage. The proposal in the Bill which has evoked the most criticism has undoubtedly been the method we suggested for financing the Committee. The Honourable leader of the Congress Nationalist Party referred to it at the very beginning of his speech; he was the first speaker, and it has been referred to by many Members since: I propose, therefore, Sir, to devote the whole of my reply to this matter because it is fundamental.

Now it seems to have been assumed on the other side of the House that the cultivator will pay this duty. It was on that basis that Mrs. Subbaroyan drew a picture of the peasantry groaning under what she described as an additional tax on land. I think that this objection is mainly sentimental and is based on misunderstanding and nothing else. Who is going to pay the duty—not the miller, if he can help it. I concede that. And surely not the producer. To begin with, 72½ per cent. of the paddy grown in India, never comes to a mill at all and that 72½ per cent. therefore cannot be affected by the duty which we propose to levy only on the paddy which comes to the mills, namely, 27½ per cent. It is only the 27½ per cent. that comes to the mills that will pay the duty and as 72½ will not come to the mills, I do not see how the miller can "pass the baby" to the cultivator, even to the growers of the 27½ per cent. I see no reason to doubt that it is the consumers who will bear the burden in the end, the consumers of the 27½ per cent. of paddy that comes to the mills—in other words, the consumers of hulled or milled rice. (*An Honourable Member*: "No".) What is the burden? 2-7 pies, less than one pice a maund. This, I submit, is a microscopic burden, at any level of prices,

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in comparison with the ordinary fluctuations in the price of rice or the price of paddy from season to season or for different periods of the same season or between different parts of the country.

Leaving aside the price of rice or the price of paddy, take the incidental charges which form an element in the price. Take the element provided by marketing charges. Taking marketing charges at 4 annas or six annas a maund on a pre-war price of paddy of about Rs. 2/8 or Rs. 3, what is one pice as against a figure like that, especially if one of the results of the labours of this Committee may be to reduce the burden of the marketing charges by far more than that one pice? The alternative to a levy of this kind by means of a duty on rice brought to the mills must either be an endowment or else a recurring charge on general revenues. An endowment, to produce 24 lakhs of rupees,—not 54 as, I think, one or two Honourable Members have stated,—would require locking up a colossal sum: on the other hand dependence from year to year on grants from General revenues is a very unsatisfactory method of financing committees of this kind. It is unsatisfactory from the Committee's point of view, as I said in introducing the Bill, because it links the avoidability of money for research much too closely with the day to day or rather the year to year budgetary position of the Government and that, I think, is the last thing that you want in planning long term schemes of research. The Committee must know within reasonable limits where they are going to be financially from year to year and for a period of years ahead.

After all, who is going to benefit by research on rice? The producer certainly—primarily the producer; the miller also, because this Committee is going to deal with research on the technological side: and ultimately also the consumer of rice, because we will be able to make it possible through this Committee to produce more and better rice. The burden is admittedly a small one. My Honourable friends on the opposite side have admitted that it is a small one. It is the principle that they do not like. Why should not this small burden fall on those elements of the population that are going to profit by the labours of such a Committee? Prof. Ranga says that Government should pay or at any rate they should pay half. He knows perfectly well that Government have got no fund from which they can produce money for this purpose except what Government derives from the general taxpayer, including the poor man. You don't let the poor man off by putting this charge on General Revenues. Nowadays we all pay taxes, poor as well as rich. So you don't let the poor man off when you place the burden on the general taxpayer; almost, really, you spread the burden a little more widely. As I said, the incidence is small because it will be very widely spread already under the Bill. In principle, I can see no objection to the burden being borne by those who consume the 27½ million tons of milled rice. I see no objection in principle to that.

Most of the other points raised were of a subsidiary nature of which notice will no doubt be taken by those to whom the Bill will be circulated. We should in particular be very interested to see any suggestions that may be made as a result of circulation about the representation of consumers. So far, we have only provided for that element in the nominated section of the committee,—“(j) such additional persons, not exceeding five, as the Central Government may appoint.” I hope that, as we have agreed to circulation, we may get some suggestions on that point. As suggested by the Honourable Member whose amendment for circulation we propose on this side to support, we shall try to secure the widest publicity for the Bill. I believe that when we get all the opinions of those who stand to benefit by the activities of a committee of this kind, even those who have come this week to curse may remain to bless.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That the Bill be circulated for the purpose of eliciting public opinion thereon by the 28th February, 1945.”

The motion was adopted.

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

The Assembly re-assembled after Lunch at Half Past Two of the clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

THE PAYMENT OF WAGES (AMENDMENT) BILL.

The Honourable Dr. B. R. Ambedkar (Labour Member): Mr. Deputy President, I move:

"That the Bill further to amend the Payment of Wages Act, 1936, be referred to a Select Committee consisting of Seth Yusuf Abdoola Haroon, Mr. Muhammad Hussain Chaudhury, Mr. Lalchand Navalrai, Mr. A. C. Inskip, Sir Vithal N. Chandavarkar, Mr. N. M. Joshi, Dr. Sir Ratanji Dinshaw Dalal, Mr. D. S. Joshi, and the mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, the Payment of Wages Act, to which the present Bill proposes to make certain amendments, was passed in the year 1936. This Bill, at the time when it was passed, was recognised as an experimental measure for the simple reason that when the Bill was drafted we had not before us any model piece of legislation on which we could have modelled the measure which is embodied in this Act. We have had now an experience of practically six years of this measure and in the course of the working it has been discovered that the Bill suffers from many defects. If I may tell the House, it has been pointed out that there are practically 30 or 40 amendments which it is necessary to make to improve the Payment of Wages Act. The Government of India realises that at present they have not got the time to devote to all the amendments to the measure which different parties have suggested and consequently they do not propose to engage themselves upon improving the Act and to remove all the defects that have been suggested. What the Government of India proposes to do through the present amending Bill is to take certain defects which are of such administrative importance that unless and until those defects are removed, it will be difficult to administer the measure with the intention which lay behind the Act when it was passed.

Sir, taking the Bill clause by clause: Clause 2 of the Bill seeks to make certain amendments in the definition of the word "wages". I do not wish to weary the House by repeating *seriatim* the defects which different parties to the Bill have suggested that they have found in the present definition of the word 'wages' as it stands. But I might mention some important ones. It has been said in a judicial decision given by the High Court of Bombay that the present definition of "wages" is so drafted that it is possible for a workman not only to claim wages which he has earned but also wages which might be called potential wages—wages which he might earn. That certainly was not the intention of the original measure. Another defect which has been suggested with regard to this definition is that it allows a workman employed on the outturn basis to claim wages irrespective of his outturn. It has been suggested that there is a confusion in the definition which does not quite distinguish the case of a workman employed on a time basis and a workman employed on outturn basis. It has also been suggested in certain quarters that some of the words which now occur in the definition are superfluous, that they need not be there and that their presence only causes confusion. I might refer to the words: "includes any bonus or additional remuneration of the nature aforesaid which would be so payable". It has been suggested to us that these words may not have any meaning other than the one which is already included in the previous part of this definition. It has also been suggested that while the definition of 'wages' was adequate before the system of dearness allowance brought about by the war came into existence, the definition today is inadequate because it is open for an employer to argue that the dearness allowance is not part of wages.

Now, the definition that we have suggested in the amending Bill seeks to remove all these difficulties. It seems to make the definition simple. I ought to tell the House that I am myself not very confident that the draft, as it stands in the amending Bill, carries out the intention which lies behind this

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original Act. I do not regard the definition which we have proposed as sacrosanct and if the members of the Select Committee are able to suggest a better one I should certainly raise no objection to the further amendment of the definition as it now stands in the amending Bill.

Coming to clause 3, it is a clause which makes two amendments to the present section 5. As the Honourable Members will remember, section 5 is a section which prescribes the period during which wages must be paid; and for the purpose of prescribing the period for the payment of wages, the section divides factories into two categories. In one category are placed factories which employ workmen whose number is less than 1,000. In the second category are placed factories which employ more than 1,000 employees. After making this division, the section provides that in the factories which come into category No. 1, payment must be made within 7 days, while in the case of the latter the limit of the period is prescribed to be 10 days. In actual practice it has been found difficult to observe the terms of this section, and the reason for that is very simple. The division of the factories is based upon the number of employees. As the House will realise, the number of workmen is never a constant figure; it always changes. For instance, if the number of employees goes down by one, the category automatically shifts from category No. 1 to category No. 2. Similarly, if the number of employees is increased by one, category No. 2 goes into category No. 1. It is believed—and I think very rightly—that this discriminating principle is neither very just nor administratively feasible. Consequently what the amendment seeks to do is to abolish this distinction whereby the factories have been divided into two categories and adopt the general principle that in all factories, irrespective of the number of employees that are working there, there shall be a uniform rule, namely, that the payment must be made within ten days. The second amendment which clause 3 seeks to make is also, as the House will see, very necessary. In section 5, provision is made for the payment of an employee who is discharged from service. The section as it stands today provides that the payment to a discharged employee should be on the second working day. Now, Sir, if the Payment of Wages Act was only applicable to perennial factories which are working throughout the day, there can be no difficulty arising from the section as it stands now. But in the case of seasonal factories, the difficulty that would arise is absolutely genuine because, supposing an employee was discharged on the last working day of the factory and the factory being a seasonal factory was closed down thereafter, then the second working day would come after a long interval which it would be difficult for anybody to imagine or to stipulate. Consequently the payment of wages to a discharged employee working in a seasonal factory would be indefinitely postponed if the provision as it now stands was not amended in the way suggested in the Bill. What we have therefore done by the amending Bill is to take away the word 'working' and substitute for the word 'second', the word 'third' so that where the factory is a seasonal factory or where the factory is a perennial factory every discharged workman will be paid on the seventh day and would not have to wait as he would have to in case the factory was a seasonal factory and the Act stood as it is now.

Now, I come to clause 4 of the Bill. As Honourable Members will see clause 4 proposes to make certain amendments in section 7 of this Act. Section 7 is a section which lays down what deductions can be made from the wages of a workman. Honourable Members will see presently that the section as it stands now does not cover all legitimate cases of deductions. I will draw the attention of Honourable Members to what are the omissions in the present Act. For instance, the Act as it stands now, or the section of the Act, does not cover the case of an employee who has left his employment, taken his provident fund and his gratuity and has lost the privileges which he would otherwise get if he had continued to be in service. It may be that for certain reasons, he had to resort to the expedience of obtaining a discharge from service in order to get his provident fund and his gratuity to meet certain economic

demands that may be very pressing upon him. After that, he is re-employed and obviously he is anxious to get back all the privileges which he enjoyed before his discharge and his privileges depend upon whether or not he is prepared to return the provident fund which he had obtained and the gratuity which he got. The workman is willing and prepared for such deductions being made, but the law does not permit this. I think it will be agreed that such deduction should be allowed because it is in the interest of the employee himself. But, as I said such a provision does not find a place in the Act, as it now stands. Then, Sir, there are certain deductions which may be beneficial to the employee and the employee may be willing that the deductions may be made in order to cover such beneficial purposes. Again, there is no provision for allowing the workman voluntarily to agree to make deductions which he thinks are beneficial to himself. The law is made by the amendment in order to make this permissible, subject of course to the Provincial Governments coming to the conclusion that the purposes are beneficial really. There are other omissions in section 7 as it stands and those omissions relate to cases of workmen who are employed in what are called incremental scales. This is a new thing in the Bill and I wish to explain to the House not only what the provisions are but the circumstances which have led us to bring forward this amendment. The sub-section (3) of section 4 deals with three cases. It deals with the case of withholding of increment of an employee who is employed on an incremental scale. It deals with the case of demotion from a higher grade to a lower grade with consequent deduction in salary. Thirdly, it deals with the case of retention of an employee in a grade, the deduction of salary being due to loss of efficiency. The reason why it has become necessary to bring forward these amendments embodied in sub-section (3) of section 4 is that it has its origin in a decision given by the Judicial Commissioner of Sind. It was a case in which an employee who is, I believe an Engine driver, was concerned. His grade was maintained, but his salary was reduced. He went to a court of law for redress and pleaded that the reduction of his salary, while he was continued in the grade, was a deduction unauthorised by law. The Judge upheld the contention and said that that was an unauthorised deduction. But the Judge observed that if there was a new contract entered into with an employee telling him that as his efficiency was not of the required level and standard to discharge his duties that are incumbent upon an officer holding that particular grade, and if the new contract was accepted by him, then the deduction would be justifiable. Now, what I have done in the Bill is to accept the suggestion made by the Judge, namely, that whenever there is a case of an officer whose grade is not reduced, but whose salary is reduced on account of the fact that he is not found to be as efficient as the responsibilities of the post require, the deduction shall not come into existence unless the period of notice that his service requires shall be fulfilled. Now, Sir, the object of that provision is really to give him one month's notice. The completed or simplified procedure would be to give him a legal notice and to say, "We are not prepared to pay you the same salary that we paid before; if you like, continue on the new basis; if you do not like it, discontinue and go out of service". Instead of having that elongated process of two equations, notice and reply, offer and rejection, we have combined the process by delaying the operation of the reduction decision by the period of notice, so that before the period of notice expires if he tells his employer that he is not prepared to accept, he would be at liberty to go out. I should like to make this point clear because it might be argued that in bringing forward these amendments we have really tried to counteract or set at naught or nullify the decision of the Additional Judicial Commissioner and I want to tell the House that I am doing nothing of the kind but am merely following the decision of the Judicial Commissioner in the amendments which we have proposed.

With regard to the other two amendments, *viz.*, the withholding of increments and demotion from a higher grade to a lower grade, there can be no matter of controversy, for the simple reason that a person is promoted from a

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lower to a higher grade only when the employer is satisfied that by the experience that he has had in the grade in which he has been serving he will be able to acquire such greater experience and greater efficiency that he can be legitimately expected to discharge the responsibilities of the higher grade. When, for instance, he has not been promoted there is no grievance, for the simple reason that he has not earned something which is sought to be taken away.

Similarly with regard to the other provision, *viz.*, demotion from a higher to a lower grade, I do not think there can be any legitimate grievance in this kind of deduction, for the simple reason that when a man has lost so much efficiency that an employer does not think that he can be retained in the same grade, I think it is justifiable to reduce him because the reduction in salary is also accompanied by reduction of responsibility.

Now coming to clause 5 of the Bill it is a very simple clause. It seems to amend sub-section (7) of section 8. Sub-section (6) of section 8 deals with the question of the time within which the fine imposed by an employer may be recovered. The question that arises is, when does the time run? Does it run from the date when the offence was committed or does it run from the date when the employer came to know that a certain act or omission was done? Obviously it is not always possible for an employer to know at the very time when an act was committed that it had been committed; it often happens that an act is committed and knowledge of it comes to the employer after a very long time. Consequently, it is felt necessary that the point of time from which limitation should run should not be the date of the offence but the date of the knowledge; and I should like to tell the House that in amending this provision we are not introducing anything that is novel. As lawyer Members of the House would know, there are many provisions in the law of limitation where the time in some cases runs from the date of the act and in some cases from the knowledge of the act.

Coming to clause 6, this seeks to amend section 9 of the Act. Section 7 (2) (b) permits deductions being made on account of absence from duty. Unfortunately there is no definition given in the Act itself as to what is meant by 'absence from duty'. This clause removes this lacuna and adds a second explanation to section 9 where the expression 'absence from duty' is now sought to be defined. Clause 7 amends section 13, and that again is purely consequential; it is not a substantial provision. It makes section 13 applicable to the two of the new deductions contained in clause 4 of the Bill. As Honourable Members know, section 13 makes deductions permissible subject to such conditions as the Provincial Government may impose. We also want that the new deductions which the new amendment permits shall also be subject to the same proviso.

The last clause amends section 17 of the Act which regulates the right of appeal. As it stands the section gives a right of appeal to an employed person but does not give it to the Inspector who is the administrative authority for administering this particular Act. It is felt that it would be advisable in the interest of all, and particularly in the interest of the employees, for the Inspector also to have the right to make an appeal.

These, Sir, are the provisions of the Bill. I submit they are non-controversial and I believe and hope that the House will be able to accept my motion.

Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill further to amend the Payment of Wages Act, 1936, be referred to a Select Committee consisting of Seth Yusuf Abdoola Haroon, Mr. Muhammad Hussain Chaudhury, Mr. Lalchand Navalrai, Mr. A. C. Inskip, Sir Vithal N. Chandavarkar, Mr. N. M. Joshi, Dr. Sir Ratanji Dinshaw Dalal, Mr. D. S. Joshi, and the mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. N. M. Joshi (Nominated Non-Official): Sir, I move:

"That the Bill be circulated for the purpose of eliciting public opinion thereon."

Sir, the Honourable Mover said that the amendments proposed by him to

the Payment of Wages Act were only administrative amendments and were non-controversial. I do not understand the meaning of administrative difficulties or administrative amendments, nor do I understand the meaning of the phrase 'non-controversial'; because I feel myself that most of these amendments proposed are controversial, at least in the sense that I do not approve of them.

The Statement of Objects and Reasons indicates and the speech of the

Honourable the Labour Member also indicated that this legislation
3 P.M. requires modification in order that it may be improved. I have no doubt, Sir, that it requires improvement, and I feel that the most important improvement which this piece of legislation requires is the extension of this legislation to the industries to which at present it does not apply. The present Act applies to what are known as 'factory industries' as well as to the Indian Railways, but the Act has given power to the Provincial Governments to extend its application to various industries like mines, plantations, transport industry (besides Railways), and several other industries. Unfortunately the Provincial Governments have not made use of the power given to them, and I therefore thought that the Honourable the Labour Member having waited for action on behalf of the Provincial Governments for six years would extend the application of the Act to the various industries to which the application was thought necessary by the Legislature when it passed the legislation. Unfortunately the Honourable the Labour Member did not do anything of the kind. He perhaps thought that that was not administrative reform; it was something else. That is not my explanation. My explanation for the Honourable Member not undertaking these important improvements in the legislation is that only recently the Honourable Member introduced and got committed

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadan Urban): Mr. Deputy President, I rise to a point of order. We are discussing a Bill with a certain number of clauses which go to amend certain sections of an Act. Can any Honourable Member address the House on other sections of the Act which are not included in the Bill. He is speaking outside the scope of the Bill.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): It is a general discussion.

Sir Cowasjee Jehangir: The general discussion is confined to the Bill; it is not on the whole Act. If he wants to move other amendments to other sections of the Act, he must bring forward a Bill of his own. This is not the place or the time, I contend, Mr. Deputy President, to discuss other sections of the Act which are not mentioned in the Bill. I consider his speech, therefore, to that extent is out of order.

Mr. N. C. Chunder (Calcutta: Non-Muhammadan Urban): Is it not open to a member to speak here and suggest that the Bill does not go far enough?

Mr. N. M. Joshi: Sir, the Statement of Objects and Reasons says:

"The Payment of Wages Act, 1936, when passed, was recognised to be an experimental piece of legislation. During its working a number of defects and difficulties have come to notice. While many of them can be left to be dealt with by comprehensive legislation at a later date, it is considered necessary to remove a few even during war time and the Bill seeks to achieve this object."

The Honourable Member stated in his speech that he did not undertake the extensive reforms which are needed. I am only saying that the Honourable Member should have done that. I have not gone out of the scope of the Bill at all. I therefore appeal that I am quite in order in saying that the Honourable Member should have introduced a better measure.

Mr. Deputy President (Mr. Akhil Chandra Datta): I think that Mr. Joshi is perfectly in order. He is criticising the speech of the Honourable Member as regards the scope of amendments. He suggests that there are many other amendments to make and I think that he is quite within his rights to say so.

Mr. N. M. Joshi: Sir, my explanation for the Honourable Member's failure to introduce improvements in the Bill is that recently the Honourable Member introduced a Bill which I consider to be quite progressive, though inadequate

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it was—the Bill regarding holidays with pay—and I expected that the Honourable Member will keep up his progressive spirit. But, Sir, I feel that the Honourable Member somehow was afraid that if he introduced progressive Bills one after another then the character of the Government of India for being a conservative Government may be lost, and he did not like to take discredit for that.

Dr. P. N. Banerjea: Discredit or credit?

Mr. N. M. Joshi: I thought that in his opinion it may be discredit. Therefore, I thought, Sir, that the Honourable Member having introduced one progressive measure wanted to introduce at least one which may be regarded as reactionary so that the Government of India's character may be maintained.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Which has no character!

Mr. N. M. Joshi: Sir, that is my explanation, but I shall not deal with that aspect any further.

As regards the amendments themselves, after having studied all the amendments I feel that most of them are of reactionary nature and most of them are not also such that the Honourable Members of the legislatures should not have taken a little more time to study them. I feel, Sir, that the Honourable Member should have chosen, if he wanted any urgent reforms, some other improvements than those which he has introduced in this Bill.

Now, Sir, I am suggesting that the Bill be circulated because I had not heard at all about some of the amendments before. As a matter of fact, before I came to Delhi I had just read in a newspaper that the Honourable Member was going to introduce a Bill for amending Payment of Wages Act. I myself did not know what the amendments were and when the Bill was introduced I read those amendments and I thought that the Honourable Member should not have been in a hurry to introduce these amendments. There is no doubt that there are one or two amendments about which I had heard before although definite proposals of the Government of India were not known to me. I do feel that this Bill affects the working classes of this country adversely and there is absolutely no urgency for it. This Bill should be circulated. Let the working classes know what the Bill is. Let their opinions be elicited. Then certainly the Legislature is entitled to consider this Bill, although in my judgment it is a very reactionary Bill. So I feel, Sir, that the House will support the motion which I have made, that the Bill be circulated.

Now I shall not be long in dealing with the various amendments which the Honourable Member has introduced.

First he took up the question of the new definition of wages. The Statement of Objects and Reasons and also the Honourable Member's speech indicated why he thought that the amendment was necessary. He stated that this Bill would permit, what I may call, payment, or what the Honourable Member stated payment according to the outturn, or payment by results. I do not think that the Honourable Member should have felt any difficulty about this. Payment by results or payment by outturn has been going on for six years after the Bill was passed and I do not think, Sir, any real difficulty has been experienced. Then the Statement of Objects and Reasons had stated something about profit-sharing and also dearness allowance. Personally, I feel that a real difficulty has not arisen about these matters at all and the Government of India has anticipated difficulties and are trying to take measures in anticipation. I feel there was no urgency from that point of view also. If the Bill is passed, it will certainly introduce a definition which will bring into being certain practices which the original Act was intended to prevent.

I shall give you an example. The original Act wanted to prevent payment of bonuses for regularity of attendance. There are practices where employers pay a certain bonus if a workman attends a certain number of days in a month, or if a workman's conduct is considered to be good by the employer he is given

certain bonuses. The Legislature in 1936 deliberately framed the definition of wages in such a way that these practices should be stopped. The Legislature thought that by giving inducements for regularity or for good conduct, the workman himself may be demoralised and also the employer. Therefore they wanted to stop these practices. From the labour point of view there is another objection to these bonuses, namely, the labour strength and solidarity is weakened when half of them are paid some bonus and half of them are not paid.

Mr. Deputy President (Mr. Akhil Chandra Datta): May I point out to the Honourable Mover of the motion that his motion must be given a date. This is obligatory under the rules.

Mr. N. M. Joshi: If it is obligatory then you may permit me to move:

"That the Bill be circulated for the purpose of eliciting public opinion thereon by the 28th February, 1945."

Mr. Deputy President (Mr. Akhil Chandra Datta): It is in order now and you may proceed.

Mr. N. M. Joshi: This definition that the Honourable Member has introduced is changing the original intention of that Act. I personally believe, Sir, that the working classes in this country do not require special inducements of bonuses to make them good honest workmen and therefore this practice of giving special inducements—what I may call in vulgar language bribes—should not be allowed, and the Legislature should never tolerate this practice because when we do our work as legislators we do not ask for special inducements in order to make us do our work quite honestly. We never ask for titles and honours for doing our work honestly. Similarly, a good workman asks nothing more but to be paid well and if he is paid well he is ready to give honest, good, hard work. Therefore, Sir, I feel that the change introduced by this measure is a wrong one and requires to be examined fully. That is why I say let the working classes know what change is going to be effected by this definition and thereafter we shall consider the amendment.

Then the Honourable Member has introduced certain amendments to section 5. One of the amendments provides that in respect of the smaller factories employing 1,000 persons or less and making payments before the seventh day of the month, they may be permitted to make payments up to the 10th. In England and in, what I may call, progressive countries wages are paid 2 or 3 days after they are due. In India we have given longer period. That period itself is a very long one and I thought when the Honourable Member for Labour was going to amend this Act he would amend it in a progressive way, i.e., if he found any difficulty in having two kinds of periods, that is the ten, and seven days, he would fix the seven days as the period for making payment. But in order to keep up his character of being conservative or reactionary, he fixes the date of payment before ten days. I thought the amendment was really out of date and not in keeping with the progressive times.

Then the Honourable Member has made another change about removing the words "second working" day and replacing it with the word "third". He said there is difficulty regarding seasonal factories. Perhaps there may be some difficulty but it has not been experienced up to this time; it has not come to my notice at any rate. But if the Honourable Member felt that some amendment was necessary to enable payment to be made when a seasonal factory closes, or even a perennial factory closes, then, Sir, he could make that as an exception. But he makes an amendment by which all employers can refuse to pay a workman who leaves his job till the third day. Now the original Act had done some injustice to the workman. When a man terminates his services, a good employer pays him on the date of his dismissal or discharge, because if the payment is not made on that day the workman has to wait one or two days for receiving payment for the services rendered and he loses wages for those days. If a man is dismissed and if he has to go to the mill to receive his payment the next day, he loses one day's wages. If he has to come there on the third day he loses three days' wages. I feel that if the Honourable Member wanted to provide for the difficulty which is felt in the case of seasonal

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factories and when a factory is closed, he could have removed that difficulty in a different way to what he is doing.

Then, Sir, the Honourable Member has now introduced some other change, permitting some deductions, and the Honourable Member has introduced a general clause by which Provincial Governments are given power to permit any deductions which in the opinion of the Provincial Government are beneficial to workmen. Now, Sir, the Honourable Member may have great confidence in the Provincial Governments and I too have some confidence in them, and I know some of them sometimes do some good service to labour. But, Sir, I am not prepared to give such a wide power to the Provincial Government. In his speech the Honourable the Labour Member said that these deductions may be voluntary but they may not be voluntary. In any case his Bill does not provide that these deductions which the Provincial Governments may sanction will be all voluntary. No, Sir, that is not provided in the Bill itself: that may be his intention. I do not approve of this clause giving general power to the Provincial Government to sanction deductions, which, in the opinion of the Provincial Government, are beneficial.

Then there is this question about stopping of increments and degrading workmen or asking them to take up less skilled work, so that their wages may be reduced. The Honourable Member quoted a judgment of the Sind Government that certain practices which prevailed on Indian Railways should be sanctioned by law. When the Payment of Wages Act was passed the Railway authorities, who are in the habit of imposing large fines upon their employees, found, that they could not exercise their authority uncontrolled. The Payment of Wages Act controlled their authority to a great extent and they wanted to gain that authority again by a different way. Instead of fining a workman, they began to degrade him, stop his promotion or put him on a less paid job. I feel that these practices were against the spirit of the original Payment of Wages Act and therefore the amendments suggested by the Honourable Member are not in the interests of the working classes. In any case before these amendments are considered by a Select Committee, it is absolutely necessary that the Railway workmen, who will be mostly the persons affected by this amendment, should know what is being done by the Legislature and therefore the Bill should be circulated.

Then, Sir, the Honourable Member has also introduced certain other amendments, one of them regarding permitting certain deductions for absence.

The Honourable Dr. B. R. Ambedkar: I have only given the definition of absence. I have not permitted deductions: they are already there.

Mr. N. M. Joshi: I know. The Honourable Member is a very simple man. He has changed the definition of absence with the result that certain deductions may be permitted. The original Act permits deductions for absence up to a certain point. The deductions may be made for the actual time lost or work not done. But if this Amendment is made, and if I understand it rightly, it is quite possible for an employer to impose double fine on the employee.

The Honourable Dr. B. R. Ambedkar: That is not correct.

Mr. N. M. Joshi: All right. We shall discuss it at the proper time. What may happen is this: an employee is absent for an hour. He cannot turn out work for that hour and therefore if he is paid on piece rate his wages are automatically reduced. Besides receiving less wages, it is quite possible that if this Amendment is made, the man's wages may be deducted still further.

The Honourable Dr. B. R. Ambedkar: No, no.

Mr. N. M. Joshi: The Honourable Member says No. We shall discuss that question, which is one of interpretation.

There is another amendment which the Honourable Member has suggested and that amendment is to enable the workman to be fined after the offending or wrong act was detected. This amendment he considers to be very reasonable but I am afraid this amendment is one which enables the employer to

keep the sword of Damocles hanging over the head of workmen, for how long, I do not know. A workman does some offending act, a small thing like coming late by an hour or two on a particular day. The employer's register is maintained by a time-keeper or somebody else but the employer has not noticed that the man was absent for an hour or two and therefore has not deducted his wages. After two or three years the employer finds out that the man was absent and therefore must be fined. I am not suggesting that this is a very happy example: there may be some other examples. But the offending act may be committed today and the employer may fine the workman after five or ten years. He says there is no law of limitation. The employer may be negligent, careless and not vigilant and yet if he discovers the offence of the workman after five or ten years, the latter must be fined. Sir, the Legislature should not sanction such a thing. The Legislature was very reasonable when it passed the Act. What the Legislature said was that a man after doing something wrong should not be fined after sixty days. That is, the Legislature has given the employer sixty days' time to find out if his employee has done anything wrong. I think sixty days are quite enough for a vigilant employer to find out the mistake or wrong committed by his employee. I do not wish to go into all the amendments which the Honourable Member has suggested. I feel that the amendments which are proposed are such that they will adversely affect the interests of the working classes in this country. In any case they are not very urgent. I therefore feel that the motion which I have made may be approved by the Legislature and after the Bill is circulated and the opinions of the working classes are obtained, the Legislature may consider the further stages of this Bill. In any case the Legislature should not consider the motion for committing the Bill to a Select Committee till the opinions of the working classes are obtained on this Bill.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That the Bill be circulated for the purpose of eliciting public opinion thereon by the 28th February, 1945."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, at the very outset I should submit that I felt restrained when the Honourable Member said that this Bill is non-controversial and only administratively it is being improved or corrected. I should think that this Bill is of the utmost importance. A Bill which affects the interests of labour cannot be said to be an unimportant measure. And I may say how many times labour itself has contested the principal provisions of the Act.

Mr. Sri Prakasa: Labour should produce better Bills.

Mr. Lalchand Navalrai: Several questions as to the interpretation of the original Act have come before for consideration. How then is this Bill non-controversial? The Honourable Member in the same breath said that such questions have arisen before and gone to the High Courts. . . .

Mr. Sri Prakasa: He is in labour!

Mr. Lalchand Navalrai: He himself has said that the Chief Court of Sind decided a case which, according to him, has necessitated his coming forward with this amendment. I do not agree with him in the interpretation he puts on that decision. He has set forth in the Notes on Clauses what that court has held. It has held that when there is any deduction or reduction in pay or any demotion it will be considered that there has been a deduction from their pay. I think my Honourable friend said that according to him the decision of the Chief Court was not sustainable by the decision itself. I may inform the Honourable Member that I had to do something with that case, in the sense of giving advice when the matter was going to court; and it was decided accordingly—as has been stated in the Notes—

"The Sind Chief Court held some time ago that the temporary reduction of an employee from one step in an incremental scale to another amounted to a deduction within the meaning of the Act. Doubts have also been expressed whether reductions, demotions, etc., by way of disciplinary measures amounted to 'deductions'."

This is what the Chief Court held, that they are deductions; and therefore it looks as if the Honourable Member is attempting to override that decision.

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of the Chief Court. I do not think the Legislature will allow that without very serious consideration. I am for circulation of the Bill, because it is a question of legal interpretation, and therefore it should be circulated not only to labour but to their representatives and their advisers and advocates, so that the right interpretation may be arrived at. It will lessen the work of the Honourable Member in Select Committee. He will get the opinions of some of the High Courts which override this decision of the Chief Court, if he wants that the law should be changed. We must have opinions to guide us in the Select Committee. It would be wise of the Honourable Member to accept the amendment that has been put in.

It is not only the question of demotion or reduction that has to be considered under this Bill—there is also the question of absence and also what will be the effect if a man is wrongly discharged or dismissed. Such cases have also recently come up before the tribunals and they have held in the case of absence, that if the absence is wilful or not right, then the deduction can be made. But in the case of discharge or dismissal, they have said that that can only be made by the authority which has the power, because many times the order of discharge was made by an authority to whom the power had been wrongly delegated. How can it therefore be said that all these questions are unimportant or non-controversial? On the contrary, I think that considering this Bill along with several other Bills which are coming before the House, this is a more important one than the others and I hope the Honourable Member will send this for circulation.

Another reason is this. No opportunity has been given to the representatives of labour or to labour itself to consider this Bill. This was introduced on the very first day we came here, and today it is sought to refer it to Select Committee. We have therefore got no opinions before us. We have got absolutely no opinion. . . .

The Honourable Dr. B. R. Ambedkar: I am sorry to have included my Honourable friend in the Select Committee when he has no opinion.

Mr. Lalchand Navalrai: This also will be one of the points I have raised. I am not going into the details of the clauses, but these are the more important things; and when the Honourable Member says that this is not a controversial Bill, I would leave the House to consider whether he is right. There are several other points which have to be considered before this Bill comes to the stage of going to the Select Committee. Mr. Joshi himself says he had not sufficient time to give his opinion on the Bill.

Mr. N. M. Joshi: We are here every day: where is the time to study it?

Mr. Lalchand Navalrai: Mr. Joshi is an expert in these matters and he has been working all along for labour and going into these questions for an age, and therefore his opinion that it should go for circulation should be accepted at once. He has experience and he has criticised some of the provisions; but I would also submit that this Bill should be circulated because there are certain things contained in it which must be decided once for all, if labour is to go on co-operating in a conciliatory manner: otherwise they will be disturbed. Labour is very powerful nowadays and we have to move cautiously; and when you make a law and subject them to certain conditions, you must proceed cautiously and not hustle the proceedings of this Bill. These are important questions. How many decisions have there been on the word "wages"? The lawyers know it—we know it; we know how much difference there has been between the interpretations of different High Courts. The definition of "wages" is being changed. Therefore, now that a new definition with additions and alterations is being made, that also should be considered by those concerned and those whom it affects.

Then, Sir, you are also changing the time when they should get the payment. They have always been crying that the payment should be made on the first day or the second day after it falls due. They were getting it in certain conditions within seven days. Now seven days are going to be increased to ten days. There will be a cry over that too. That also should be considered.

Then there is this question of demotion. When it suits the employer, he gives a man a higher type of work and when the employer does not require that higher type of work, you want to bring him down again to the old lesser pay. Is that fair? If you have selected the man for the higher type of work, you must keep him there, whether you have got work for him or not. That is a question that you have got to consider.

I will not go into the details of the other provisions of the Bill which should, I think, go out for circulation. After circulation, we will sit together and then consider all the points of law as well as points of fact and come to a conclusion.

Mr. A. C. Inskip (United Provinces: European): As the Honourable Member for Labour has said, the object of this amending Bill is to seek to clarify certain obscurities in the present Bill, particularly in regard to three items. It seeks to make it clear that wages have to be earned under the contract of employment, expressed or implied. It also seeks to make it clear that where there is an incremental scale, the increment may only be withheld as a disciplinary measure. It seeks further to lay down that a diminution of wages by reason of requirement to perform work involving a standard of skill or responsibility lower than that in the previous work, is not a deduction.

The Bill itself makes clear that "the withholding of an increment is to be treated in several important respects as if it were a fine and will not be permitted except when the employee has committed an offence against discipline in accordance with an approved detailed list of offences hung up on the factory's notice board. The existing Payment of Wages Rules make the Chief Inspector of Factories the final arbiter of this list and in making this decision he will depend on the guidance he can get from the Act."

Taking all these definite pointers together, then two facts emerge. Firstly, Government admits that the definition of wages—which is the most important and fundamental thing in the whole of this legislation—rests on the idea that there is always a contract of employment either express or implied. Wages mean the wages earned under the contract of employment.

Secondly, the legislation is intended to enforce payment of wages earned under the contract of employment without delay or deduction, but not to enforce anything beyond this. The clarification attempted by the present Bill apparently intends to make a clear distinction between payments that are wages and payments that are not.

If then what I have said correctly interpret Government's intentions then certain criticisms must be levelled against the new Bill.

Now, Sir, let me turn to the details of the proposed Bill, and in particular to Clause 2. In the new definition of "wages", the word "bonus" has been allowed to remain in. It seems to be quite superfluous since the rest of the phrase "additional remuneration for increased output" is sufficiently clear and inclusive as it stands or in any case could easily be made so. The question of whether various kinds of bonus are or are not payable by employers as a matter of obligation has been one of the most fruitful sources of industrial disputes in recent years extending to an attempt to force the payment of annual bonuses at increased rates even when the payment of such bonus has clearly not been a term of the contract of employment and even when the rate of profits has not increased. In other words, such attempts have been directed towards the very object of trying to get *ex gratia* bonuses treated as a compulsory and unconditional part of earnings. Why then, in the process of clearing up the most important and most obscure definition in the present Act should this ill-fated word of many meanings be retained in the sense of a payment due to the worker under his contract of employment. It makes the meaning of the term "wages" depend on the exact meaning of the word "bonus", and it would be difficult to find a more unsuitable foundation on which to rest an Act, or one more certain to lead directly or indirectly to disputes. All this applies with the same force even to the wording as published in the Bill. However carefully the word "bonus" is qualified, the word itself is sure to provoke misinterpretation. But the draft has the further disadvantage that even a slight

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error in punctuation—such as the insertion of a comma after the word “bonus” —might make it much worse. It is noticeable also that in this clause a specific reference to the money being “earned under the terms of his contract of employment” appears in the second line, after which there is a whole list of particular cases hanging in the air with no further reference to the contract of employment at all. In particular, the word “payable” in the sixth line might mean almost anything. If “payable under the terms of the contract of employment” is meant, then there can be no objection to saying so and there is every objection to the matter being left in any doubt. As it stands, there is a probability of dispute about whether an amount is payable because it has been paid in the past or for any other such reason.

Then, Sir, the Amending Bill seeks to include Dearness Allowance in the definition of wages. This, I fear, will undoubtedly cause serious complications, particularly in concerns where a provident fund is in existence for the benefit of its employees. Unless many existing provident fund schemes are altered, the employee will now have to pay a percentage of allowances as well as of wages as his contribution; and the employer who has agreed to contribute a like amount to the fund will also be penalised.

Then, Sir, in regard to clause 4, para. 3, the expression “on an incremental basis” is extremely vague. Almost any employment where there is any prospect of financial improvement at all might be described as being on an incremental basis. The wording in the Statement of Objects and Reasons is not very precise, but that in the Bill itself is far vaguer still. The expression “for disciplinary reasons” also is not very clear. The most probable interpretation is open to criticism in principle. It seems from the wording that the intention is to make the withholding of an increment illegal except in cases of breach of discipline. If so, this amounts to forcing the employer to fulfil a most important part of the contract of employment on one side while leaving it open to the employee to fail to fulfil the corresponding obligation on the other side. The employee is not paid his wages solely in consideration of his preserving discipline. He is mainly paid for the use of his skill. This is the main reason why different wage rates and incremental rates exist at all, and this fact incidentally is recognised in section 4, para. 4 of the Bill. The main reason and justification for a scale of increments is to make the rate of pay match the value of work when the value increases with increasing skill resulting from experience. But although the value of the work usually increases with the lapse of time—and time scales exist in order to deal with this normal state of affairs—, skill does not always increase in this way. A man may be lazy, he may be unwilling to take increased responsibility, he may be suffering from disability or he may simply be below average, or the process at which he is working may be changed and he may be unable to respond to the changed conditions. None of these cases amounts to a clear breach of discipline. Is it right, then, to compel the employer, if he has a time-scale for the average cases, to raise the wage rates of less valuable workers unconditionally on the same scale? What would be the position if an employer wished to revise the scale of wages for a particular occupation? As long as the scale is unaltered, the individual employee is protected under the Bill from having his increment stopped or his wages reduced. Would the alteration of the scale itself in a downward direction be legal or would it be regarded as a wholesale breach of the provisions of this clause?

Then, Sir, turning to clause 4, para. 4: it will be seen that this clause clearly deals with the case where an employer requires an employee to accept a lower paid job, but it does not cover failure on the part of the employee to improve or maintain the standard of his work in line with the remuneration laid down in the wage scale relating to his job.

In regard to clause 4, para. 5, this clause stipulates that the provisions of section 8, paras. 1, 2 and 3 of the existing Act shall apply to the withholding of increments etc., which again apparently confirms that the employer would be compelled to pay those of his workmen who are on time rates without

reference to their individual skill or assiduity. Such one-sided protection seems calculated to put a premium on idleness and mediocrity and to hinder the employer in rewarding his employees according to their merits.

The points of criticism I have put forward represent the views of the Group to which I belong and I trust they will receive the attention of the Honourable Member in charge of the Bill and the Select Committee, for there would appear to be a tendency to think exclusively about protecting workmen from unscrupulous employers and to forget that if this protection is given unconditionally, it leaves the employer and the public unprotected against the slack and inefficient workman.

Sir, I support the original motion.

The Honourable Dr. B. R. Ambedkar: Mr. Deputy President, if it can help to curtail the debate, I should like to state at this stage that I am prepared to accept the amendment.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Sir, I am glad the Honourable Member in charge of the Bill has agreed to accept the motion for circulation. Therefore, I do not wish to say much at this stage on the merits of the Bill except that in my view it is worse than a pill of poison. To take a pill of poison, the patient has to be coaxed to open his mouth and swallow it, but this Bill is a sort of an injection which is given while the patient is asleep by a very dreadful process. The patient does not know that poison is being injected into him; nevertheless, it has its deadly effect.

Sir, there does not seem to be any particular hurry for a Bill like this. I do not know why the Honourable Member in charge has lent his ear to those reactionaries who press on him the need for a Bill like this, as if the Bill is not bad enough. My Honourable friend the spokesman for the European Group has got up with his attempt to make it even more reactionary and more troublesome and unacceptable to the workers. Has it been found in practice during these days of crisis that production has been materially affected anywhere because these amendments have not been made to the original Act? We have not had any report to that effect. It cannot even be pleaded that the workers, because they are going on working from year to year in these days of war and are becoming senior workmen, are becoming less and less efficient and that the employers are unable to demote them, reduce their wages and even cut down their earnings and in that way cut down their labour bill. That, too, has not been established. On the other hand, what is happening is that more and more workers are being employed and the workers who have been there before the beginning of the war have been found to become more and more skilled and yielding also bigger and bigger profits for the employers and also the Government, which reaps its benefit through the Excess Profits Tax. My Honourable friend the spokesman of the European Group was talking about the failure of worker's skill to rise in consonance with the rise of pay. I wish he would turn his attention to what is happening in the Government of India and to its employees and also to many of his own compatriots in this country who are employed in various plantations and other European Companies. Is he sure that as they become more and more senior in their service, their skill is also increasing? Is he sure that as they are being assured of their annual increments of Rs. 50 or Rs. 100, their efficiency is also increasing? In fact, it is the other way about. But is there any provision on the Statute-book of this Government which provides for a corresponding reduction in the salaries, emoluments and allowances that are being given to many of these Government officials and European officials in this country who are employed either by Government or by commercial concerns, so that they may be made to realise that they are becoming eligible to superannuation, whereas they are only made eligible today to higher and higher increments as years go by.

Sir, there are a number of provisions to which I take very strong objection but I speak with trepidation in regard to the details because the Honourable Member has not vouchsafed to us the views of the organised labour in this country. I am glad he has agreed to our suggestion that it should be sent

[Prof. N. G. Ranga.]

into circulation and I hope when the Bill comes back after circulation it may be possible for most of us who are laymen in regard to the trade union matters to form a judgment in regard to the merits of these different sections than is possible at present. Therefore, I support the motion for circulation.

The Honourable Dr. B. R. Ambedkar: Sir, as I have said, I am prepared to accept the motion made by my friend Mr. Joshi. In that event, it is unnecessary for me to make any speech. All that I would like to say is this that I cannot agree that any strong case has been made out for circulation. As I said just now, I made myself very clear that the amendments which

4 P.M. I have put forth were administrative in the sense that they will remove the difficulties that exist in the administration of the law. I have not seen that any of the amendments which are contained in this Bill were, if I may say so, beyond the capacity and the intelligence and the knowledge and the information of Honourable Members of the Select Committee. I, Sir, was surprised to see that my Honourable friend Mr. Joshi did not do enough credit to himself. If I circulate the Bill, and I am asked to circulate the Bill in order to canvass the opinion of the working classes, I wonder whether who would be the advocate that would be employed by the working classes except Mr. Joshi himself or my Honourable friend Mr. Lalchand Navalrai. It was in order to get the benefit of their representative character, their knowledge and information that I have taken care to include them in the Select Committee. However, Sir, if they feel that they cannot repose confidence in their ability to deal with what I regard as non-controversial points, I am quite prepared to fall in line with them and accept the amendment.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be circulated for the purpose of eliciting public opinion thereon by the 28th February, 1945."

The motion was adopted.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I am not moving my motion* today.

Mr. Deputy President (Mr. Akhil Chandra Datta): The House stands adjourned till tomorrow.

The Assembly then adjourned till Eleven of the Clock on Friday, the 17th November, 1944.

*That this Assembly recommends to the Governor General in Council to accept the constitution of the Permanent Food and Agriculture Organisation of the United Nations.