

26th February 1946

THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume II, 1946

(12th February to 27th February, 1946)

FIRST SESSION OF THE SIXTH LEGISLATIVE ASSEMBLY, 1946



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1947

V
LEGISLATIVE ASSEMBLY

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THE HONOURABLE MR. G. V. MAVALANKAR.

Deputy President :

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Panel of Chairmen :

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MR. A. J. M. ATRINSON.

MR. S. DAS.

Marshal :

CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions :

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SYED GHULAM BHIK NAIRANG, M.L.A.

SRI SRI PRAKASA, M.L.A.

MR. T. CHAPMAN-MORTIMER, M.L.A.

SARDAR MANGAL SINGH, M.L.A.

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LEGISLATIVE ASSEMBLY

Tuesday, 26th February, 1946

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS†

WRITTEN ANSWERS

RENEWAL OF FIRE-ARMS LICENCES WITHDRAWN DURING AUGUST DISTURBANCES

502. *Prof. N. G. Ranga: (a) Will the Honourable the Home Member be pleased to state how many licences for fire-arms of a large number of *bona fide* citizens were cancelled during the August disturbances?

(b) Was it done on the orders of the Government of India?

(c) In how many cases were such cancellations made in different Provinces?

(d) And to how many of such persons were the gun licences granted again after that emergency was over?

(e) Is it the policy of Government not to renew gun licences which were withdrawn during the August disturbances?

The Honourable Sir John Thorne: (a), (c) and (d). I have no information on these points and the collection of the details asked for would involve an amount of labour which would be disproportionate to the results. I place in the library, however, such figures as I have *viz.*, particulars of the firearms in the possession of the public in 1941, 1942 and 1943.

(b) No.

(e) No.

†The question hour for the day having been dispensed with, the answers to the questions were laid on the table of the House.—*Ed. of D.*

Statement showing the number of fire arms in the possession of the public in 1941, 1942 and 1943

Provinces	Year	Rifles	Variation	Revolvers and Pistols	Variation	Breach Loading Weapons	Variation	Muzzle Loading Weapons	Variation
Madras	1941	2616	...	3893	...	23506	...	30930	...
	1942	2532	-84	3746	-147	22356	-1210	30870	-60
	1943	2456	-76	3445	-301	20505	-1851	27814	-3056
Bombay	1941	5820	...	3745	...	20638	...	17075	...
	1942	5664	-156	3731	-14	20013	-625	16230	-845
	1943	5743	+79	3734	+3	19894	-119	16845	-385
Bengal	1941	3696	...	3853	...	47164	...	11579	...
	1942	3623	-73	3836	-17	47069	-95	11047	-532
	1943	3626	+3	3716	-120	46055	-1014	10706	-341
United Provinces	1941	9802	...	5454	...	45969	...	24290	...
	1942	9759	-43	5415	-39	46788	+819	23186	-1104
	1943	9634	-125	5305	-110	47029	+241	22061	-1125
Punjab	1941	4318	...	5620	...	34895	...	7573	...
	1942	4187	-131	5211	-409	33061	-1834	8600	+1027
	1943	3916	-271	5157	-54	33800	+739	8801	+201
Bihar	1941	2164	...	1018	...	16496	...	3329	...
	1942	2206	+42	1010	-8	16663	+167	3221	-108
	1943	2173	-33	1061	+51	15898	-765	3156	-65

C. P. and Berar	1941 1942 1943	4259 4047 4086	... -212 +48	918 884 877	... -34 -7	12984 12716 13496	... -278 +780	27782 27727 26412	... -55 -1315
Assam	1941 1942 1943	1166 1197 1198	... +31 +1	837 860 889	... +23 +29	9912 9904 10047	... +82 +53	15312 15241 15322	... -71 -19
N. W. F. P.	1941 1942 1943	4821 4754 4761	... -67 +7	6004 5974 6009	... -31 +35	33920 33382 33920	... +462 +538	6371 6414 6470	... +43 +56
Orissa	1941 1942 1943	563 577 561	... +14 -26	137 140 136	... +3 -4	3023 2974 2901	... -49 -73	8293 9467 12182	... +1174 +2715
Sind	1941 1942 1943	1686 1743 1676	... +57 -67	1668 1827 1722	... +159 -105	17088 17092 16388	... +4 -704	1896 1896 1901 +5
Delhi	1941 1942 1943	... 740 770 +30	... 547 621 +74	... 2659 2812 +153	... 109 107 -2
Ajmer Merwara	1941 1942 1943	667 664 706	... -3 +42	167 164 185	... -3 +21	839 851 1035	... +12 +184	5151 5152 4456	... +1 -696
Coorg	1941 1942 1943	297 314 321	... +17 +7	229 229 234 +5	3353 3422 3458	... +69 +36	9448 9532 9549	... +84 +17

MISSIONS SENT OUT BY GOVERNMENT OF INDIA

503. *Mr. Manu Subedar: (a) Will the Honourable the Finance Member please state how many Missions of the Government of India officials or persons nominated or delegated by the Government of India have gone out of India during the years 1942-43, 1943-44, 1944-45 and 1945-46?

(b) What was the object of sending out these Missions?

(c) What was the cost incurred by Government in connection with these Missions?

(d) Have any of these Missions submitted their report to Government? If so, do Government propose to circulate copies of such reports to the Members of the Assembly?

(e) What was in particular, the object of sending Sir Jeremy Raisman during his tenure of office, and what was the report which he submitted to the Government of India after his return?

Mr. B. C. A. Cook: (a), (b) and (c). A statement covering Central Government servants other than those employed by Railways is laid on the table. Information in respect of the Railway Department is being collected and will be laid on the table in due course.

(d) In the majority of cases reports were submitted, but these were primarily for departmental use only. Copies of such of the reports, as can be made available will be placed in the library of the House.

(e) Sir Jeremy Raisman went first in 1942-43 to discuss the allocation of war costs between India and His Majesty's Government and again in 1944-45 to lead the delegation to the Bretton Woods Conference. The main points resulting from the former visit were given in the succeeding Budget speech, while a copy of the report submitted by the delegation on the latter occasion has already been supplied to the House.

S. No.	Deptt. concerned	(a) Particulars of Missions, Delegations, etc.	(b) Object	(c) Cost incurred
1	Information and Broadcasting	Sir Frederick Puckle, Secy., Information Deptt. (U.K. & U. S. A.)	To consult the India Office on Publicity matters in U. K. and to inspect the work of the Indian Information Services in U. S. A. with a view to acquiring first- hand knowledge of publicity matters there.	Rs. 22,000 (Approx.)
2	Education	Visit of the Educational Commis- sioner with the G/I to China.	To explore practical methods whereby educational relations between China & India could be established.	Rs. 2,220 (representing t. a. & d. a. of E. C.)
3	Posta & Air	Sir G. V. Bewoor (Australia)	To attend the Commonwealth Communi- cations Conference (Australia).	Not readily available.
4	Finance	Sir Jeremy Raisman (U. K.)	In connection with discussions with H. M. G. regarding allocation of war expenditure between India and the U. K.	Rs. 6,944 (For passages by air to and from India.)
5	Agriculture	Delegation of Indian Entomolo- gists to Persia, led by Doctor Tashtir Ahmad.	To collaborate with the Persian authori- ties in anti-locust measures.	Rs. 15,000
6	Do.	Deputation of Doctor H. S. Pruthi, Imperial Entomologist to Teheran.	To attend the International Locust Con- ference held in Teheran in October 1942.	Rs. 1,689/8/-
7	Do.	Delegation of Indian Entomolo- gist to Arabia and Persia led by Mr. M. A. Janjua.	To collaborate with the British Entomolo- gists, M/s Maxwell, Darling and Lean in anti-locust campaign in the Middle East.	Not readily available.
8	Do.	Deputation of Mr. K. D. Baweja, Supdt. Locust Sub-station, Karachi to Persia.	To represent the Government of India at the International Locust Congress, Teheran.	Rs. 4,124

STATEMENT II. (1943-44)

S. No.	Deptt. concerned	(a) Particulars of Missions, Delegations, etc.	(b) Object	(c) Cost incurred
1	Information and Broadcasting	Mr. G. S. Bozman, Secretary, I. & B. Department. (U. K. & U. S. A.)	Same as in the case of Sir F. Puckle <i>vide</i> Statement I.	Rs. 17,300
2	Information and Broadcasting	Messrs. Sir Srinivasa Serr a, H. G. Mara, R. R. Bhola and M. Giasuddin. (Non-Officials) (U. K. & U. S. A.)	To publicise India and India's war effort.	Rs. 59,000
3	Posts and Air	3 Delegations sent to U. K.	To attend Empire and International conferences relating to civil aviation, radio aids for civil aviation and communications.	Rs. 23,000 (for 2 conferences only).
4	Agriculture	Indian Delegation to Hot Springs Conference.	To attend the United Nations Conference on Food and Agriculture, held at Hot Springs, Virginia, U. S. A., 1943.	Not readily available.
5	Do. .	Deputation of Dr. Padwick to China.	To strengthen cultural and other contacts between India and China.	Cost met by Chinese Government.
6	Do. .	Deputation of Dr. H. S. Pruthi to Cairo.	To represent the Government of India at the regional Anti-Locust Conference, convened by the Middle East Supply Centre to Discuss Plans for anti-Locust Campaign.	Rs. 2,285/11/-
7	Do. .	Delegation of Indian Entomologists to Arabia led by Mr. Ghular Sabir, Locust Technical Officer.	To undertake Locust control measures in Oman (Arabia) for a period of about 6 months under the direction of the Chief Locust Officer, Middle East.	Rs. 11,500
8	Do. .	Deputation of Mr. K. D. Beweja, Supdt., Locust Substation, Karachi, to Teheran.	To represent the Government of India at the Teheran International Locust Committee.	Rs. 3,560

9	Do.	Delegation of Indian Entomologist to Persian Mekran, led by Mr. K. D. Bewaja, Deputy Locust Entomologist, Karachi.	To collaborate with the Persian Govt. in anti-Locust measures in Persian Mekran.	Not readily available.
10	Do.	Deputation of Mr. C. H. Parr, Imperial Agriculturist to Cairo.	To represent the Government of India at the Middle East Agricultural Development Conference at Cairo.	Rs. 1,373
11	Commerce	Messrs. Ram Chandra, P. C. Chaudhri, and Kasturbhai Lalbhai. (To Cairo)	To discuss the question of co-ordinated purchase of Egyptian cotton.	Rs. 11,800
III (1944-45)				
1	Industries & Civil Supplies and Supply.	The Hydari Mission	To devise methods of relieving the strain of war demands on the Indian economy. This was fully explained in Sir Akber Hydari's statement to the Press on the 18-1-45.	Rs. 26,700, approximately.
2	Food	Mr. W. H. Kirby, Rationing Adviser to the Government of India (United Kingdom).	To act temporarily as Liaison Officer on behalf of the Food Department of Government of India with the India Office and other Ministries, particularly the Ministry of Food, London.	Rs. 11,763 (excluding cost of passage both ways).
3	Do.	Mr. Blois Johnson (Director of Purchase) (U.K.).	To standardize processes and specifications for dehydration in consultation with Ministry of Food and other allied matters.	Rs. 13,034
4	Do.	Dr. Guha and Mr. Khanna, (U.K.).	To investigate modern methods of food technology in order to improve the efficiency of food installations working in this country.	Rs. 35,246
5	Finance	Sir Jeremy Raisman (U.S.A.)	To attend the Bretton Woods Conference in the U.S.A.	Rs. 8,348
6	Information & Broadcasting	Lt. Col. G. E. Wheeler, D.P.D. (Middle East and United Kingdom).	To discuss with the authorities on the spot the question of co-ordinating the publicity and distribution arrangements in the Middle East and in United Kingdom.	Rs. 14,300

S. No.	Department concerned	(a) Particulars of Missions, Delegations, etc.	(b) Object	(c) Cost incurred
7	Information and Broadcasting	Mr. C.W. Goyder, Chief Engineer. All India Radio (United Kingdom).	To study the latest technical developments to help Government to prepare plans for the development of broadcasting in India.	Rs. 16,000
8	Do.	Mr. S. Gopalan, Station Director, All India Radio (United Kingdom).	To study administrative and programme organisation in the B.B.C. and such technical matters as may fall within the purview of such study.	Rs. 12,000
9	Do.	Mr. A.S. Bokhari, D.G., All India Radio (United Kingdom).	To attend the Commonwealth Broadcasting Conference and to study and discuss with the B.B.C. authorities administrative and other matters connected with broadcasting.	Rs. 12,700
10	Education	A group of scientists sent to United Kingdom & U.S.A.	To investigate the question of securing places for Indian Scientists in the U.K. and USA, to maintain liaison with the scientists in U.K., to visit the British Commonwealth Central Scientific Office, Washington and to determine the need for ameliorating the condition of Indian Scientific workers vis a vis other countries.	Rs. 51,460 approximately
11	Central Board of Revenue (Finance).	Mr. Greenfield, Member, Central Board of Revenue (United Kingdom).	To study the excise administration in the Board of Customs and Excise, U.K. and obtain expert officers from the Board for organising the Central Excise system in India.	Rs. 12,000, (including his pay while in United Kingdom.)
12	Do.	Sir John Sheehy, Member, C.B.R. and Mr. J.B. Shearer C.I.T., Bombay.	To study income-tax administration in the U.K., discuss problems connected with the winding up of E.P.T. and select an expert officer from the Board of Inland Revenue for employment in India in connection with E.P.T.	Rs. 16,000

13	Posts and Air	2 Delegations sent by the Posts and Air Department.	To attend (i) Commonwealth Civil Aviation Conference (Montreal) and (ii) International Civil Aviation Conference, Chicago (USA).	Rs. 40,000
14	Health	Lt. G. J. B. Hance, D.G., I.M.S., and Dr. C.G. Pandit (U.K. & U.S.A.).	To investigate and report on modern trends in medical education and research in those countries.	Rs. 40,000, approximately.
15	Agriculture	The Indian Agricultural Mission to China.	To study cropping system and land utilisation in China and to collect material for plant breeding, specially in respect of disease-resisting varieties.	Rs. 17,291
16	Do.	Deputation of Sardar Bahadur Sir Datar Singh to Australia.	To investigate the agricultural, Live-stock, Dairying, Co-operative and marketing development and organisation in Australia and New Zealand.	Not readily available.
17	Do.	Deputation of Mr. K.D. Bawaja, Deputy Locust Entomologist, Karachi, to Teheran.	To represent the Government of India at the Teheran International Locust Control Committee.	Not readily available.
18	Commerce	Sir Theodore Gregory, Economic Adviser to the Government of India.	To attend the International Monetary Conference in U.S.A.	Rs. 11,000
STATEMENT IV (1945-46)				
1	Industries and Civil Supplies and Supply.	Pitkeathly Mission to U.K. & USA consisting of one Chairman, and two Members.	To investigate processes and plant employed in the manufacture of ammonium sulphate, both in the U.K. and USA, with the object of securing for India the most up-to-date plant for the production of this type of fertiliser from indigenous materials.	Rs. 1,07,400
2	Home	Sir Francis Mudie (Home Member) and Mr. Conran Smith (To U. K. in April, 1946).	Were summoned by the Secretary of State for consultation in connection with the recruitment to vacancies in the I.C.S. and I.P. reserved for men with war service.	The extra exp. was small as no offg. arrangements were made. Travelled by R.A.F. planes for which no charges were paid.

S. No.	Department concerned	(a) Particulars of Missions, Delegations, etc.	(b) Object	(c) Cost incurred
3	Home	Mr. Williams, Joint Secy., Home Deptt. to U.K. in June 1945.	To make preliminary arrangements for the recruitment of 'war service' candidates to the I.C.S. and I.P. etc.	Rs. 1,952 (extra expenditure).
4	Food	Hon. H. Butler. (U.K. & USA).	To study processes of rice conservation.	Rs. 1,340 (excluding cost of passages.
5	Do	Robert Hutchings	To press India's case for imports.	Still on deputation to U.K.
6	Commonwealth Relations	Mission consisting of Hon. Pt. Kunzru and Mr. P. Kodanda Rao (Malaya).	To study the conditions of Indians residing in Malaya.	Estimated between Rs. 5,000 and 10,000.
7	Do	Mr. A. V. Pai, Joint Secy.	To assist Sir R. Mudaliar in the U.N.O. Conference to place before the India and Colonial offices the case of Indians in Ceylon in connection with the constitutional reforms recommended by the Soulbury Commission.	Rs. 5,000 (Approx.).
8	Planning and development	A party of 5 experts non-official technicians were attached to the appropriate teams of British and American experts visiting Germany.	To investigate specified industrial and technical processes likely to be advantageous to industrial production in India.	Govt. will meet cost of passages to and fro plus actual living expenses.
9	Do	A scientist from the Council of Scientific and Industrial Research was attached to the British Mission which accompanied the U.S. Strategic Bombing Survey to Japan.	To study and investigate the physical effects of atomic bombing.	Do. Do.

10	Planning and Dev't.	Visit of Sir Ardeeshir Dalal and Mr. H.V.R. Iengar to U.K. & U.S.A.	(a) To discuss with H.M.G. and British Industrial interests the question of Commercial Safeguards; (b) To examine the question of availability, the price level and priorities of capital Equipment for India; (c) To examine the arrangements for the placing of Indian students sent for technical education; (d) To examine the arrangements for the placing of Indian Technicians in British & American Factories; and (e) To examine the possibility of obtaining on contract, Experts required by the Central and Provincial Governments in India.	Not readily available.
11	External Affairs	Four in number during 1945-46.	(i) To attend the United Nations Conference in San Francisco. On its way to S.F., attended Commonwealth Conference in London. (ii) Furtherance of Indo-Iranian cultural relations. (iii) To attend the preparatory Commission and First General Assembly of the United Nations in London. (iv) To sign the agreement ending the State of war with Siam on behalf of India and to enquire into the conditions of Indians in Siam and French Indo-China.	Not readily available.
12	Posts and Air	7 delegations sent outside India	To attend Empire & International Conferences relating to Civil Aviation, Radio aids for civil aviation and Telecommunications.	Not readily available.
13	Education	Mr. W.W. Wood, Principal, Delhi Polytechnic deputed to U.K.	To make arrangements for placing technical students from India in universities & Senior Technical Institutions in U.K. in their next session and in connection with other matters relating to certificates and diplomas recently instituted in India and the future supply of equipment.	Rs. 8,900, (Approx.)
14	Do	An Educational delegation to the U.K.	To take part in the deliberations of the United Nations Conference which was summoned to consider the question of setting up an Educational and Cultural Organisation of the United Nations.	Rs. 24,000 (roughly).

S. No.	Department concerned	(a) Particulars of Missions, Delegation etc.	(b) Object	(c) Cost incurred
15	I & B.	Mr. F. Watson, D. R. & R. D. (U. K.)	To study the planning activities of the Ministry of Information.	Rs. 7,000 (roughly).
16	Do.	Mr. B. V. Baliga, A.C.E., A.I.R. (U. K.)	To study at the BBC the latest technical developments.	Rs. 10,000
17	Do.	Mr. Chaman Lal, Research Engineer, A.I.R.	Ditto ditto	Rs. 8,900
18	Do.	Mr. P. N. Thapar, J. S., I. & B. Deptt. (U. K. & U. S. A.)	To discuss production and commercial and non-commercial distribution of Indian shorts with the Ministry of Information and other matters relating to film industry add Radio Broadcast.	Rs. 9,890
19	Do.	Mr. G. S. Bozran, Secy. (U. K.)	To examine the charter of the BBC in the light of the possibility of a similar organisation for A.I.R. and to make enquiries into the organisation of cultural literary and other art associations and their relationship with Government.	Not readily available.
20	Labour	One Mission in 1945	To discuss with the Ministry of Supply the question of disposal of large surplus stocks of Mica. The head of the Mission also attended the Conference of the International Labour Organisation at Paris as a delegate of the Government of India.	Rs. 15,000
21	Commerce	Mr. S. R. Zaman, Joint Secretary, Com. Deptt. (Copenhagen).	To attend the Preparatory Tripartite Technical Conference of the International Labour Conference as an Adviser to the Government Delegation.	Rs. 8,000 (Approx).
22	Do.	Messrs. H. V. R. Iengar, B. K. Nehru and E. Radbone. (To Paris).	To represent India's repatriation claims at the Paris Conference.	Not readily available.
23	Agriculture	The Indian Delegation to the Food and Agricultural Organization Conference.	To attend the First session of the Food and Agricultural Conference held at Quebec, Canada.	Do.

24	Do.	Deputation of Dr. F. C. Minnett to attend the UNRRA Veterinary Conference at Sydney.	To attend the Conference of Veterinary Representatives of member Governments of the UNRRA held at Sydney, Australia, to consider proposals to set up an International Veterinary Sectt.	Do.
25	Do.	Visit of Mr. D. R. Sethi, Agricultural Production Adviser to the USA, Canada & U. K.	To study best types of farm equipment suitable for Indian conditions, expedite delivery of tractors and other Agricultural machinery ordered by the G/L, investigate possibilities of securing facilities for training of selected Indians as practical Agricultural Engineers, and to visit Tennessee Valley Authority for studying Agricultural Development projects.	Do.
26	Do.	Visit of Sir William Stampe to the U. K. & USA.	To examine the various types of machine operated boaring equipment at work in the U. K./USA in different types of soil and strata conditions, with a view to their adaptability to Indian conditions and also to study ground water problems generally.	Do.
27	Do.	Visit of Dr. Bainsi Prashad Fisheries Development Adviser, to USA & U. K.	To study the latest methods employed in the exploitation of fishery resources in the USA, U. K., and Denmark, with a view to the adoption of similar methods in India and to explore the possibility of the early procurement of suitable machinery, equipment and apparatus required for the proposed Central Fisheries Research Instt.	Do.
28	Do.	Visit of Sardar Bahadur Sardar Lal Singh, Fruit Development Adviser to Australia.	To have first hand knowledge of the latest researches and designs in Horticultural and Fruit Preservation Institutes, to look out for machinery suitable for Indian conditions which could be safely recommended to Indian Fruit preservers.	Do.
29	Do.	Delegation of Indian Entomologists to Arabia.	To undertake Locust control measures in Oman.	Not yet estimated, as the delegation has not yet returned.

PLANNING ADVISORY COMMITTEE

504. *Mr. Manu Subedar: (a) Will the Honourable Member for Planning and Development please state how many meetings of the Planning Advisory Committee of the Assembly were called since that Body was formed?

(b) What papers were placed before them?

(c) What was the agenda?

(d) What were the resolutions, if any, which were passed by them?

The Honourable Sir Akbar Hydari: (a) Two.

(b), (c) and (d). I invite the Honourable Member's attention to the Proceedings of the two meetings, copies of which were sent to all members of the Central Legislature in accordance with rule 8 of the Rules relating to Standing Committees of the Central Legislature. Copies are also available in the Library.

PROPERTIES REQUISITIONED IN BOMBAY

505. *Mr. Manu Subedar: (a) Will the War Secretary please state the total number of properties requisitioned in the Bombay city and its suburbs?

(b) How many have been de-requisitioned?

(c) What was the total amount of rent per month for these properties?

(d) Why are properties still being retained by the Military, and what is the outlay incurred on such properties retained?

(e) What proposals have been received or considered by Government with regard to the temporary buildings put up?

(f) In view of acute shortage, do Government propose to make these buildings over to the Provincial Governments for their retention and use during the period when new buildings could be put up? If not, why not?

Mr. P. Mason: (a) The number of properties requisitioned in Bombay City and its Suburbs on 1st September 1945 was: Buildings—412; Lands—159.

(b) Number de-requisitioned by 31st December 1945 was: Buildings—25; Lands—2.

On 31st December a further forty properties were in the process of being de-requisitioned. I hope the process will be one of gradual acceleration.

(c) The monthly rental for the properties requisitioned on 1st September 1945 was: Buildings—Rs. 2,33,936; Lands—Rs. 2,98,657.

(d) The properties retained are I am afraid still essential for the efficient functioning of those elements of the Services (Army, Air Force and Naval) whose presence is necessary in Bombay City and Suburbs. The monthly outlay incurred on such properties is: Buildings—Rs. 2,28,788; Lands—Rs. 2,94,652.

(e) No formal proposals have been received by Government with regard to the temporary buildings put up.

(f) The Government is prepared to give preference to the claims of Provincial Governments for the retention and use of any temporary buildings which have been erected when they are surplus to the needs of the Services and not required by another Department of the Central Government. Liaison Officers have been appointed by Provincial Governments to work in conjunction with the Inter Services Committee for Lands and Buildings within the different Commands. In addition, in Bombay representatives of the Bombay Government, the Municipal Council and the Chamber of Commerce are members of the Bombay Standing Quartering Board.

When properties are declared surplus to the requirements of the Services the Military Lands and Hirings Service who are responsible for the physical disposal also contact all known interested parties.

ABSORPTION OF DEMOBLED PERSONNEL

506. *Mr. Manu Subedar: (a) Will the Honourable Member for Planning and Development please state the total number of men, temporary and permanent, who are to be released in 1946 from (i) the War Department, including Army, Navy and Air Force, (ii) Railways, and (iii) other Departments of Government?

(b) Is it a fact that some of them have put in exemplary service and are being now released?

(c) What steps are Government taking for getting them re-absorbed in other Departments?

(d) What special works do Government propose to set up for getting these men re-absorbed?

(e) Is it a fact that, simultaneously while Indians from various services are being thrown out of work, Britishers are being recruited for other services?

(f) Have Government considered the desirability of stopping such recruitment and taking Indians by giving them an opportunity to adapt themselves for other work for which fresh recruitment is started?

(g) What is the proportion of posts reserved for ex-service people in the Central Government and in the various Provincial Governments, and what is the machinery devised by Government to make necessary arrangements?

The Honourable Sir Akbar Hydari: The reply will be given by the Honourable the Labour Member.

MRS. VIJIALAXMI PANDIT'S RETURN TO INDIA

507. *Prof. N. G. Ranga: Will the Honourable the Home Member be pleased to state:

(a) if there is any truth in the rumour that the Government of India or the Government of Great Britain is putting obstacles in the way of Mrs. Vijialaxmi Pandit's return to India;

(b) if she has applied to him for permission and other facilities to return to India; if so, when and what reply has been given to her; and

(c) whether Government will give an assurance that she is free to return to India whenever she likes?

The Honourable Sir John Thorne: (a) None whatever.

(b) and (c). Mrs. Pandit has already returned to India.

EFFORTS BY OFFICIALS FOR SUPPORT OF GOVERNMENT-FAVoured PARTIES
IN PRO VINCES

508. *Mr. Ahmed E. H. Jaffer: Will the Honourable the Home Member be pleased to state if he has received urgent representations in regard to the efforts by Government Officials in Provinces, to coerce and corrupt people in the rural areas to secure support for parties favoured by local Governments?

The Honourable Sir John Thorne: The subject matter of this question is primarily the concern of the Provincial Governments and not of the Governor General in Council.

MUSLIMS IN I. N. A.

509. *Mr. Ahmed E. H. Jaffer: Will the War Secretary be pleased to lay a statement on the table of the House for the information of Members showing:

(i) the number of Muslims among those who joined the I.N.A.;

(ii) the number of Hindus who joined the I.N.A.;

(iii) the number of Muslims killed and wounded and missing while serving with the I.N.A.; and

(iv) the number of Muslims who died while prisoners of war in the hands of the Japanese?

Mr. P. Mason: The information on this subject is not very accurate because of the lack of records kept by the Japanese; but the approximate figures are as follows:

(i) and (ii) Military members of the I.N.A. about 12,000 Hindus; about 5,000 Muslims; and about 3,000 Sikhs and others.

Civilian members of the I.N.A.—rather more than 20,000 of whom 95 per cent. were Hindus.

(iii) It is not possible to give a figure as the Japanese records of such casualties have not been recovered.

(iv) As announced by H. E. the Viceroy, it is estimated that about 11,000 members of the Indian Army died whilst prisoners of war. It is impossible to estimate how many of these were Muslims, since the Japanese apparently kept no record of such cases. Up to the present only some 1,000 of these casualties have been confirmed officially, of whom approximately 35 per cent. were Muslims.

REDUCTION IN DEFENCE PERSONNEL

510. *Mr. Manu Subedar: (a) Will the War Secretary please state what the highest number of men and personnel was in all the branches of the Indian Defence (Army, Navy and Air Force), including recruits in training, during the last six years?

(b) What is the estimated strength in comparison with the above figure today, and to what total number is it intended to reduce this number?

(c) By what instalments and in what time is it expected to complete this reduction?

(d) Is there any discrimination in effecting such reductions either with regard to communities or with regard to provinces? If not, what is the basic policy of Government in this matter?

(e) Is it a fact that decisions as to the total personnel in all the branches of Defence are taken not in India, but are received from the Imperial Defence Council in London?

(f) Has any report been made by the Cariappa Committee with regard to the size of the Army in future and will a copy of it be circulated to the Members of the Assembly and an official day assigned for its discussion in this House?

Mr. P. Mason: (a) Indian Army—20,53,000 R.I.N.—32,917; R.I.A.F.—29,820.

(b) As regards the first part, I regret that it would not be in the public interest to give the present actual strength but substantial reductions have already taken place. As regards the second part, the strength of the forces which will be required in the post-war period, has not yet been decided.

(c) It is not yet possible to say when demobilization will be completed but it is estimated that by the 1st of April next year the following will have been demobilized: 32,000 British officers; 7,000 Indian officers; 180,000 British other ranks; 1,540,000 V.C.Os., I.O.Rs. and non-combatants.

I would also refer the Honourable Member to my reply to Mr. Ayyangar's question No. 198 on February 12th.

(d) and (e) No, Sir, certainly not.

(f) No, Sir. The Reorganisation Committee, as I have previously explained, was a committee consisting of staff officers appointed by H. E. the Commander-in-Chief in order that they might report to him personally on the problems referred to them. The Report will not be published but decisions which are taken on the recommendations of the Committee will usually be published.

DEMOBILIZATION OF PEASANT SOLDIERS

511. *Mr. Ahmed H. H. Jaffer: Will the War Secretary be pleased to state:

- (a) if it is a fact that there are more than 2½ Million peasant soldiers waiting to be demobilized;
- (b) whether they have to be reabsorbed into the Indian villages;
- (c) whether they want land urgently;
- (d) whether out of the Government planned schemes of irrigation covering some 16 million acres, much of this could be made available for the peasant soldier; and
- (e) whether Government are aware that these two and a half million peasant soldiers are now anxiously waiting for Government proposals on this matter?

Mr. P. Mason: (a) No, Sir, there are not 2½ million men to be demobilised, and many of those who will be demobilised are not peasants. The published figures show that approximately 600,000 men will be demobilised up to 31st May 1946. It is not as yet possible to supply a figure for the whole period of demobilisation.

(b) and (c) According to answers received in response to a questionnaire which was sent to a large cross section of the Army, about 35 per cent. of the men awaiting demobilisation desire to be employed on the land, but it is not known how many of those who want agricultural employment have land of their own to which to return.

(d) Provincial Governments will no doubt consider sympathetically the claims of demobilised personnel to a share in land to be brought under cultivation under new projects. Much of the land under such projects is however already under cultivation.

(e) Yes, Sir, there is much interest, but the amount of new land available for cultivation is small. A statement on the whole question will shortly be published through service channels.

I. N. A. PERSONNEL DEALT WITH BY COURTS MARTIAL

512. *Shri Sri Prakasa: Will the War Secretary be pleased to state:

- (a) the number of I.N.A. men who have been brought before the Courts Martial or other courts of law for trial;
- (b) the number of those acquitted or sentenced to punishment;
- (c) the nature of the punishment inflicted;
- (d) the number affected by each type of punishment; and
- (e) if any were sentenced to death; if so, how many and the manner and place of execution?

Mr. P. Mason: (a), (b), (c) and (d) I lay two statements on the table.

(e) I have already answered this fully in my reply on the 18th of this month to Professor Ranga's question No. 837.

Statements A—Courts Martials

S. No.	Name	Place and dates of trial	Charges on which convicted	Final result of trial	Defending Officer
1	2	3	4	5	6
1	9940 Hav. Mela Singh, 15 Punjab Regt.	Summary General Court Martial, Delhi. 8th and 12th June 1944.	Desertion	Transportation for life, reduction to the ranks and dismissal.	Major R.C.L. Bright, 19 Hyderabad R. Bar- rister-at-Law.
2	18662 Sepoy Chatter Singh, 5/8 Punjab Regt.	Summary General Court Martial, Delhi. 14th June 1944.	Waging war against the King	Death by being hanged	Lt. L.C. Green, SEA TIC (Solicitor).
3	9896 Sepoy Nazir Singh, 8 Burma Rifles.	Summary General Court Martial, Delhi. 16th June 1944.	Ditto	Ditto	Ditto.
4	10670 Hav. (C. M. H.) Onkar Chand, 2/12 F. F. R.	Summary General Court Martial, Delhi. 20th June 1944.	Ditto	Transportation for life	Capt. H.B.C. Horral, G.S. Branch, GHQ (I), (Bar.-at-Law).
5	7804 Hav. Hoehiar Singh, 2/17 Dogra Regt.	Ditto	Ditto	Ditto	Ditto.
6	6775 Hav. Durga Mal, 2/1 Gurkha Rifles.	Summary General Court Martial, Delhi. 5th July 1944.	Ditto	Death by being hanged	Capt. E. W. Seir, RIASC (Solicitor).
7	15217 Sepoy (L/Nk.) Kartar Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera. 17th July 1944.	1. Desertion 2. Waging war against the King.	Transportation for life and dismissal.	Capt. B. W. Fidgeon, 11 Sikh Regt.
8	16183 Sepoy Sajjan Singh, 1/11 Sikh Regt.	Summary General Court Martial, Nowshera. 19th July 1944.	1. Desertion 2. Waging war against the King.	Ditto	Ditto.
9	15718 Sepoy Gurdial Singh, 1/11 Sikh Regt.	Ditto	1. Desertion 2. Waging war against the King.	Ditto	Lt. G. K. Qantirhakar, 11 Sikh Regt. Centre.

10	1803 Sepoy Padam Bahadur, Myitkyna Bn., Burma Frontier Force.	Summary Martial, Delhi. August 1944.	Court 23rd	Waging war against the King	Ditto	Lt. L. C. Green, Intelligence att. R.I.D. (Solicitor).
11	10648 Sepoy (P/L/NK) Hazara Singh, 5/2 Punjab Regt.	Summary General Martial, Delhi. August 1944.	Court 26th	Ditto	Death by being hanged	Lt. S.A. Hossain, RIASC, 'B' M. T. Trg. Group.
12	MT 503961 Fitter (Class II) Sardar Singh, IAOC, att 4/17 Gurkha Rifles.	Summary General Martial, Calcutta. October 1944.	Court 6th	Ditto (2 counts)	Ditto	Capt. M. S. Haqqani, IAOC, 220 I.A.O.D., pleader with right of audience in Sessions Court.
13	H 1733 Hav. Clerk (Class I) Lachman Singh, I.A.M.C., att. 4/7 Gurkha Rifles.	Ditto		Concealing the existence of a design to wage war against the King.	R. I. for 7 years and dismissal.	Lt. J. R. Colchester, RAOC Port Ordinance, Calcutta, Bar.-at-Law.
14	8454 Sepoy Fakir Singh, 1/15 Punjab Regt., att. 4/7 Gurkha Rifles.	Summary General Martial, Calcutta. October 1944.	Court 10th	Waging war against the King	Transportation for life and dismissal.	Lt. J. R. Colchester, RAOC Port Ordinance, Calcutta, Bar.-at-Law, B.A. (Cantab.), Law.
15	28896 I. O. Jem. Keshri Chand Sharma, RIASC.	General Court Martial, Delhi. 12 & 13th December 1944.		Ditto	Death by being hanged	Capt. H. B. C. Harrall, Bar.-at-Law.
16	6120 Jem. Dalbahadur Thapa, 2/1st Gurkha Rifles.	General Court Martial, Delhi. 12th February 1945.		Ditto	Ditto	Lt. Idris Ahmad, I.A.O. C., Pleader.
17	3416 Jem. B. C. Gowd, 1st Bn., Mysore Inf.	General Court Martial, Delhi. 16th February 1945.		Ditto	Transportation for life and dismissal.	Capt. B. S. Wadhawan, 39 Ind. Field Censor Unit, who has passed the Prosecuting Inspector's Examination in Higher Criminal Law at the Police Training School, Philaure.
18	16616 I. O. Jem. Nikka Ram, 5/2 Punjab Regt.	General Court Martial, Delhi. 11th January 1945.		Ditto	Ditto	Lt. G. W. Hill, R.A.P.C., Solicitor of the Supreme Court.

S. No.	Name	Place and dates of trial	Charges on which convicted	Final result of trial	Defending Officer
1	2	3	4	5	6
19	11865 Hav. Shiv Charan Singh, 5/2 Punjab Regt.	Summary General Court Martial, Delhi. 28th April 1945.	Waging war against the King	Transportation for life and dismissal.	Capt. J. C. Hay, Royal Sigt., GHQ(I) Sigt., Solicitor.
20	11868 Hav. Chambel Singh, 5/2 Punjab Regt.	Summary General Court Martial, Delhi. 5th May 1945.	Ditto	Ditto	Capt. M. Y. Chaudri, 8th Punjab Regt., Advocate, S.C. (Legal) Delhi District.
21	10376 L/Nk. Charan Singh, 8 Burma Rifles.	Summary General Court Martial, Multan. 6th July 1943.	1. Desertion 2. Waging war against the King.	Death by being hanged	Major P.H.M. Galbraith, 1st Burma. Regt.
22	8771 Naik Nagindar Singh, 8th (F. F.) Bn., Burma Rifles.	Summary General Court Martial, Multan. 3rd July 1943.	1. Desertion. 2. Desertion.	Ditto	Ditto.
23	15667 Sepoy (L/Nk) Isher Singh, 1/11 Sikh. Regt.	Summary General Court Martial, Nowshera. 7th September 1944.	Desertion	R. I. for 6 years and dismissal.	Major W.B.K. Betty, 11 Sikh Regt. Centre.
24	Capt. Shah Nawaz Khan, 1/14 Punjab Regt.	Summary General Court Martial, Delhi. 5th November 1945.	(i) Waging war, abotment, murder.	Cashiered and forfeiture of all pay.	Mr. Bhulabhai Desai and 22 Defence Council.
(ii)	Captain P. K. Sahgal, 2/10 Bahuch Regt.		(ii) Waging war.		
(iii)	Lt. G. S. Dhillon, 1/14 Punjab Regt.		(iii) Waging war.		
25	Abdul Raashid	Summary General Court Martial, Delhi. December 1945.	Waging war, brutality.	R. I. for 7 years	Mr. Abdul Asis Khan.

Statement B—Civil Courts

S. No.	Name	Place of trial	Charges on which convicted	Result of trial and date of pronouncement	Name of judge
1	Sepoy Awadeshwar Rai Pand	Delhi . . .	Section 3 of the Enemy Agents Ordinance, 1943 (i.e., aiding the enemy). Section 121-A, I.P.C.	Transportation for life.— 27th May 1944.	C. M. Ormerod, Esq., I.C.S., Special Judge under the Enemy Agents Ordinance.
2	Sepoy Kartar Singh . .	Delhi . . .	Ditto . . .	Transportation for [life.— 18th December 1944.	Ditto.
3	Sepoy Kanwal Singh . .	Delhi . . .	Ditto . . .	Ditto . . .	Ditto.

AMENITIES TO I.N.A. MEN IN BAHADURGARH CAMP

513. *Shri Sri Prakasa: Will the War Secretary be pleased to state:

- (a) the number of I.N.A. men detained in the Bahadurgarh Camp; and
- (b) the amenities in the matter of letters, newspapers and interviews afforded to them; and if their relatives are allowed to meet them and if they can supplement their food?

Mr. P. Mason: (a) All those held in the Bahadurgarh Holding and Enquiry Centre on 14th of this month, 1,230 in number, were members of the German 950 Regiment.

(b) As I have said before, these men are treated as Indian Army personnel under arrest. The following are the answers to the specific questions put by the Honourable Member:

Letters.—They may write one letter a fortnight, but there is no limit to the number of letters they may receive.

Newspapers.—They get the same newspapers as the Guard battalion.

Interviews.—are allowed with relatives in compassionate cases. If anyone is selected for trial he is allowed free access to his counsel and relations.

Allowances.—In addition to receiving their full rations, V.C.O.s and other ranks are credited with 11 rupees 4 annas and 5 rupees 10 annas respectively per month for expenditure in the Camp Canteen.

DISMANTLING OF AERODROMES CONSTRUCTED IN BENARES DISTRICT

514. *Shri Sri Prakasa: Will the War Secretary be pleased to state:

- (a) the number of aerodromes constructed in the district of Benares during the war; and
- (b) if these are being dismantled; if so, when the process is likely to end; if not, when, the dismantling is likely to be taken in hand?

Mr. P. Mason: (a) Three.

(b) Of the three airfields, two (namely Rajwari and Madho Singh) are surplus to the requirements of the Defence Services and, with the exception of the pucca runways, taxi tracks, and hardstandings, these two airfields will be disposed of. It is too early to say how long this process will take. The third airfield (Babatpur) is provisionally required for the development of Civil Aviation.

AGRICULTURAL LAND REQUISITIONED DURING WAR

515. *Prof. N. G. Ranga: Will the War Secretary be pleased to state:

- (a) how much of agricultural land was requisitioned during the war;
- (b) whether the compensation due was paid to the peasants concerned;
- (c) how much of that land has been returned to the peasants; and
- (d) when the rest of it will be returned?

Mr. P. Mason: (a) and (b). It is regretted that it is not possible to give the information required as the requisitioning authorities under the Defence of India Act and Rules are the District Officers of Provincial Governments who are responsible for the maintenance of proper records and for payment of compensation to the peasants and land owners.

Large areas of land including agricultural land were requisitioned but records are not available which would show how much of it was agricultural land.

(c) and (d). Accurate information regarding requisitioned agricultural land returned to the peasants is not available but every effort is being made to release the land as rapidly as it can be released, unless it is required for the services permanently. Orders have already issued for the release of 237 major properties.

PROVINCIAL AND COMMUNAL QUOTA IN CENTRAL SERVICES

516. *Khan Bahadur Habibur Rahman: (a) Will the Honourable the Home Member please state if it is a fact that some time ago the Supply Department (when Sir Ramaswamy Mudaliar was the Member in Charge) issued a press note saying that in the services in that Department due representation will be given to minorities and provinces? If so, how far has this policy been followed in respect of minorities as well as of the provinces?

(b) Will this policy of representation of provinces be followed in other Departments of the Central Government, as there are many provinces which have little or no share in the Central Services? If not, why not?

The Honourable Sir John Thorne: (a) A press note was issued by the Supply Department stating that in selecting temporary personnel for retrenchment the considerations adopted are the suitability of the individual for the duties to be entrusted to him, length and quality of service and experience, the need to avoid "age blocks", adherence to standing orders requiring adequate representation of minority communities, and regard to fair representation of the several provinces. I have no reason to suppose that this policy has not been followed in practice.

(b) The Government have already issued general instructions designed to safeguard the minority communities during the process of retrenchment. They do not propose to issue similar instructions in the case of provincial representation.

INSUFFICIENCY OF BROADCASTING IN INDIA

517. *Khan Bahadur Habibur Rahman: (a) Will the Honourable Member for Information and Broadcasting be pleased to state when the Radio Station for Patna is likely to be installed? Why has it not been installed so far, though it was contemplated even before the war?

(b) Is it a fact that recently the Honourable Member announced plans for the expansion of broadcasting in India? Are Government aware that the number of radio stations in India is very insufficient, considering the size of the country? Are they also aware that there are 900 radio stations in Latin America only, if so, what steps are being taken by Government to bring the benefits of broadcasting to the various regions and zones in India?

(c) Do Government intend to take steps to broadcast news on a regional basis from the various radio stations, so that the different zones could be served with regional news? Do Government realise that at present news of local and provincial interest cannot be fully covered?

(d) Does the All-India Radio have its correspondents in Provinces? If not, will Government consider appointing such correspondents?

(e) Do Government contemplate having separate Urdu and Hindi broadcasts in place of the Hindustani broadcasts?

The Honourable Sir Akbar Hydari: (a) I have already given the information in answer to question No. 418 answered on the 21st February, 1946.

(b) I have not made any recent announcement but the Government of India are well aware of the insufficient number of radio stations in India. They have before them a comprehensive scheme for the development of broadcasting in India. They have no knowledge as to the number of radio stations in Latin America.

(c) No, but local and provincial news is broadcast as far as it is available and is accommodated in the news bulletins along with news of all-India and world importance.

(d) No, but Government will consider how far it is necessary to appoint such correspondents to augment All-India Radio's news service.

(e) No.

PAYMENT OF DEDUCTIONS AND ESCHEATS *re* WAR PENSION, ETC., TO FAMILIES OF WAR VICTIMS AMONG INDIAN PERSONNEL

518. *Babu Ram Narayan Singh: Will the War Secretary please state whether deduction, stoppages and escheats in respect of non-effective pay and war pensions payable to the families of the Indian personnel died or killed in the wars of 1914-18 and 1939-45, are governed by (i) the Indian Army Act or by (ii) any other rules or regulations? If by the latter (ii), what is the statutory authority for the same?

Mr. P. Mason: The India Army Act does not govern non-effective pay and pensions.

As explained to the Honourable Member, in answer to his starred question No. 731, on the 6th March 1945, and in the statement giving the information desired in answer to his question No. 1396, on the 27th March 1945, the subject "military pensions" is not a matter for legislation, and the powers conferred on the Government of India to make rules to govern Indian personnel are derived from the inherent powers of the Crown to prescribe such conditions as it may think fit to govern its gifts and bounties, within which category "pensions" fall.

FAMILY PENSION RULES FOR RELATIVES OF DECEASED SOLDIERS

519. *Babu Ram Narayan Singh: (a) Is the War Secretary aware of the facts:

(i) that a father whose son is killed in the war gets a family pension only after he has reached the age of 50 years;

(ii) that parents are given only one family pension for any number of deaths of their sons;

(iii) that any man who has earned a disability pension himself or is in receipt of a service pension at the rate of Rs. 8 per mensem, is considered not entitled to family pension as a result of the deaths of any number of his sons killed in the war; and

(iv) that after a widow in receipt of a family pension, marries or remarries even according to the customary law of her community, the family pension for the post-marriage period is forfeited without any consideration of the maintenance of minor children left by the deceased husband?

(b) If answer to (a) is in the affirmative, will he please state the statutory authority for the same?

Mr. P. Mason: On the assumption that the Honourable Member's question relates to Indian Viceroy's Commissioned Officers and other ranks, the answers are as follows:

(a) (i) Yes, Sir, unless he is shown to be incapable of earning his living.

(ii) No, Sir, there is no restriction on a family's receiving more than one pension.

(iii) No, Sir, the rule to this effect has recently been changed and there is no such absolute bar as described in the question.

(iv) It is true that the widow becomes disqualified if she remarries a person other than her deceased husband's brother and does not live a communal life with the other living eligible heirs, but the children's allowance is not discontinued but increased by 50 per cent.

(b) I have just said in answer to the Honourable Member's previous question, that no statutory authority is required in support of the pension rules.

STOPPAGE AND FORFEITURES OF WAR PENSIONS

520. *Babu Ram Narayan Singh: (a) Will the War Secretary please state if he is aware that the following stoppages and forfeitures have been enforced in respect of War Pensions admitted on account of disabilities sustained in Wars:

(i) War Pension has been stopped on conviction of the pensioner by a court in British India;

(ii) War Pension has been stopped on conviction of the pensioner by a court in an Indian State; and

(iii) War Pension has been stopped on the report of medical experts to the effect that the disability on account of which it was granted has gone below 20 per cent.?

(b) If the reply to (a) above be in the affirmative, will he please state the statutory authority for stoppages and forfeitures in (a) with reference to Section 51 of the Indian Army Act, Section 136 of the Army Act and Section 300 (2) of the Government of India Act, 1935?

Mr. P. Mason: (a) (i) and (ii). I know of no cases in which War Pensions have been stopped because of convictions, but if the Honourable Member gives me particulars I will investigate them. However, I may say that future good conduct is an implied condition of every grant of pension and an Indian military pensioner who is convicted of a serious crime by a court of law, or who is guilty of grave misconduct, is liable to forfeit his pension.

(iii) Yes, Sir. The reassessment of the degree of disability is done by medical experts constituting examining boards after careful examination of the claimant and the medical documents.

(b) No statutory authority is necessary, nor are the sections of Acts quoted relevant to the issue.

PENSION REGULATIONS AND INDIAN ARMY ACT

521. *Babu Ram Narayan Singh: (a) Will the War Secretary please state if it is a fact that for the punishment of Indian personnel of His Majesty's Indian Forces, on active service under a "duration of war" agreement, two sets of rules have been applied, one is called Pension Regulations and the other is the Indian Army Act itself?

(b) If the reply to (a) above be in the affirmative, will he please state the statutory authority for Governing forfeitures, stoppages and deductions under the Pension Regulations?

(c) Will he please state the link between the Indian Army Act and the Pension Regulations so as to impart to the Pension Regulations, the force of the Indian Army Act itself?

Mr. P. Mason: (a) No, Sir, Pension Regulations are not a penal code, and the Indian Army Act does not affect their application.

(b) I have already stated in reply to the Honourable Member's previous questions, that no statutory provision is required for the making of pension rules by Government.

(c) There is no link between the Indian Army Act and Pension Regulations, India.

RELEASE OF EDUCATIONAL BUILDINGS OCCUPIED BY ARMY DEPARTMENT IN ASSAM

522. *Sreejot Rohini Kumar Choudhuri: (a) Will the War Secretary please state if it is a fact that assurances were given by the War Department of the Government of Assam that all educational buildings either belonging to Government or to public, will be released within the year 1945 and that the educational institutions will be able to re-occupy them?

(b) Are Government aware that these assurances have not yet been implemented and that the following among other educational buildings in Assam are still in occupation of the Army Department:

- (i) Cotton College, Gauhati, Assam—(Government);
- (ii) R. Handique Girls' College—(Government);
- (iii) Cotton Collegiate School—(Government);
- (iv) Government Aided Sonaram High School;
- (v) Government Aided Panbazar Girls' High School;
- (vi) Jagannath Barua College, Jorhat;

- (vii) Silchar Government Aided College, Silchar;
- (viii) Government High School, Sylhet;
- (ix) Hostels attached to the abovementioned educational institutions; and
- (x) Quarters assigned to the Principals, Headmasters, and Superintendents of Hostels of the aforesaid educational institutions?

(c) Is it a fact that they are in occupation of the Army Department since the beginning of the year 1942?

(d) Do Government propose to release these buildings forthwith?

Mr. P. Mason: (a) No, Sir, no such assurance can be traced.

(b) The following is the position regarding the institutions referred to:

(iv) and (viii) have been released.

(v) will be vacated on 10th March 1946.

(i) and (ii) are expected to be released in April, but the hostels will be vacated during this month.

With regard to (iii), (vi) and (vii) the descriptions given by the Honourable Member do not tally with our records, but only two school buildings were requisitioned in Jorhat one of which has already been released and the other will be returned to the school authorities when certain repairs have been carried out. Ten out of the twelve school properties requisitioned in Silchar have been released and the remaining two will be released shortly. Hostels and Staff Quarters will be vacated with the Schools.

(c) Most of the educational properties requisitioned were taken over in 1942 during the emergency in Assam.

(d) The policy of Government is to release all requisitioned buildings used for educational purposes as soon as possible. By 1st January 1946, 60 per cent. of such buildings throughout India had been released.

DEMAND OF WAR LOAN FROM SAHU RAMESHWAR NATH OF PILIBHIT

523. *Sjt. Seth Damodar Swroop: (a) Will the Honourable the Home Member please state if Government are aware that the Sub-Divisional Magistrate, Pilibhit, wrote a letter to Sahu Rameshwar Nath requesting him to pay Rs. 40,000 towards the War Loan?

(b) Did he do so in consultation with the Collector of the District?

(c) Did Sahu Rameshwar Nath decline to subscribe to the loan? If so, on what ground?

(d) Is it also a fact that after the refusal to subscribe to the War Loan he was asked by the then Collector to explain why his licence for a revolver should not be cancelled?

The Honourable Sir John Thorne: I have called for the information and a statement will be laid on the table of the House in due course.

FORFEITURE OF SAHU RAMESHWAR NATH'S ARMS

+524. *Sjt. Seth Damodar Swroop: Will the Honourable the Home Member please state:

(a) if it is a fact that Sahu Rameshwar Nath transferred all his arms to various persons after the cancellation of his licence; and

(b) if so, if it is also a fact that some of these arms have not yet been delivered to the transferees, although the transfer was made on December 16th 1944, before the date of expiry which was December 17th, 1944, and his revolvers have actually been forfeited to the Government by the order of the present Collector on the 4th of July, 1945?

FOODSTUFFS FOR ARMED FORCES

525. *Sri M. Ananthasayanam Ayyangar: In connection with the cut in food rations of the civil population of India will the War Secretary please state:

- (a) the number of British troops in India at present;
- (b) the number of Indian troops in India at present;
- (c) the total amount of wheat and rice in stock at present in all the military depots in India;
- (d) the total amount of wheat and rice proposed to be stocked during the current year, in addition to the present stocks;
- (e) the prices at which wheat and rice were bought during the previous year;
- (f) the quantity of rations allowed to each person in the military service of the Crown in India, and whether it varies in the various Provinces;
- (g) how far the rations allowed to the military personnel differ from the rations now allowed to the civilian population in the United Provinces, Delhi, Madras and all other Provinces except the Punjab; and
- (h) whether Government propose to take steps in a month or two to send away all non-Indian military personnel—British or West African or others—now in India, in order to reduce the drain on the food stocks in India?

Mr. P. Mason: (a) and (b). I regret that it would not be in the public interest to disclose these figures.

(c) Stocks of wheat products and rice held in all military depots in India on the 1st February 1946 were: Flour—13,428 tons; Atta—36,004 tons; Rice—20,870 tons.

These figures include amounts held on behalf of troops in South East Asia which will be transferred there in due course.

(d) In addition to stocks at present held it is estimated that the following quantities of food grains will be required to maintain issues up to 31st March 1947: Flour—45,300 tons; Atta—171,500 tons; Rice—90,900 tons.

From 1st April 1946 no rice or flour will be supplied to ALFSEA from India and from the same date all despatches of atta from India to ALFSEA will be subject to replacement by HMG.

(e) The procurement of wheat and rice for the Defence Services is undertaken by the Food Department. The average prices paid during 1945 by the Food Department were:

	Rs.	s.	p.	
Wheat—(Indigenous—Punjab)	9	0	0	per maund
Imported	10	0	0	per maund (pool price)
Rice—Punjab	12	0	0	per maund
Madras	8	12	0	per maund
C. P.	9	0	0	per maund
Assam	13	4	0	per maund

(f) The present daily ration for British Troops in India totals 4 lbs. 9-2/5 ozs. This is made up of:

Meat Stuff (including Bacon)	16	ozs.
Milk, sugar and cheese	9 3/4	"
Flour	12	"
Rice	2/7	"
Other cereals	1/2	"
Vegetables, butter, etc.	34 9/10	"

4 lbs. 9-2/5 ozs.

The daily ration for Indian Troops totals 3 lbs. 8-1/8 ozs. This is made up of:

Meat Stuff	6 ozs.
Milk and sugar	8 „
Atta/Rice	22 „
Other cereals	3 „
Ghi, Vegetables, etc.	17½ „
	<hr/> 3 lbs. 8-1/8 ozs.

There is no variation in military scales of rations between provinces.

(g) The amounts of the civilian cereal ration per adult per day in Provinces other than Punjab are:

Orissa	1·3 lbs. in Cuttack	Madras	12 ozs. approxi- mately.
Assam	1·14 lbs.	Ajmer	12 ozs.
Bengal	1·14 lbs.	Bihar	·857 lbs. in Patna and Jamshed- pur exclu- ding gram.
Sind	1·14 lbs.		
N. W. F. P.	1·14 lbs.		
U. P.	1 lb.		
Bombay	1 lb.		1·14 lbs. in 10 other rationed towns including gram.
C. P.	1 lb.		
Delhi	12 ozs.		

(h) As I have already said, African military personnel are being sent out of India as fast as shipping permits.

As regards the other non-Indian military personnel, they represent a very small fraction of one per cent. of the population of India and in any case are fed almost entirely from imported foodstuffs.

EXCISE DUTY ON BETEL-NUTS

526. *Shri D. P. Karmarkar: Will the Honourable the Finance Member be pleased to state:

(a) whether Government have received representations on behalf of the betel-nut growers urging the abolition of the Excise Duty on betel-nuts in view of the hardships of the growers under the incidence of the duty;

(b) whether it is a fact that the prices of betel-nuts have gone down substantially since the betel-nut duty was imposed in 1944; and

(c) what steps Government propose to take in view of the conditions prevailing at present?

The Honourable Sir Archibald Rowlands: (a) Yes.

(b) Yes.

(c) I shall refer to this matter in my Budget speech.

ARMY MAINTENANCE UNITS

527. *Khan Bahadur Hafiz M. Ghazanfarulla: Will the War Secretary kindly state:

(a) how many Maintenance Units there are in India;

(b) how many of them are being retained by the War Department for their use;

(c) how many of these are going to be disbanded;

(d) how many of these are to be let out on hire, and for what period;

(e) the places which are to be let out;

(f) if it is a fact that the Maintenance Unit at Poona was advertised to be let out for only one year;

(g) whether this Maintenance Unit has been let out; if so, under what terms;

(h) whether the various Maintenance Units at Cawnpore will be retained; and

(i) how many of them will be disbanded, and when?

Mr. P. Mason: This question should have been addressed to the Honourable Member for Industries and Supplies who has agreed to answer it on the 5th March 1946.

DISPOSAL OF LANDS AND BUILDINGS BUILT FOR MILITARY USE

528. *Khan Bahadur Hafiz M. Ghazanfarulla: Will the War Secretary please state how he proposes to dispose of the lands and buildings which were built for the use of the military in different parts of the country?

Mr. P. Mason: Requisitioned and leased land and buildings will ordinarily be returned to the owners, when they become surplus to the requirements of the Services. If valuable assets have been created on sites which the owners are not willing to take over at a reasonable price, the Government have the right to acquire such sites.

All property acquired during the war or after its termination which is surplus to the future requirements of the Services will be disposed of whenever possible to other Departments of the Central Government and to Provinces or States. Property not required by Governments or States will be disposed of to the best possible advantage. The agency for disposal is the Lands, Hirings and Disposals Directorate-General and their representatives.

ICE FACTORIES AND COLD STORAGES ERECTED DURING WAR

529. *Khan Bahadur Hafiz M. Ghazanfarulla: (a) Will the War Secretary please state the number of Ice Factories which were erected during the War by Government?

(b) What is the number of Cold Storages which were erected during the War by Government?

Mr. P. Mason: (a) 110 Ice Factories were installed during the war with a total capacity of 750 tons, and

(b) 98 Cold Storage units were set up.

SALT CONCESSIONS UNDER GANDHI-IRWIN PACT

530. *Mr. K. C. Neogy: (a) Will the Honourable the Finance Member be pleased to state whether clause 20 of the Gandhi-Irwin Pact, permitting villagers to collect or make salt for domestic consumption, or sell within their villages, is in operation in its letter and spirit in the Province of Bengal?

(b) Do the Central Excise Rules, 1944, or any other statutory rule draw any distinction between the Province of Bengal and the other Provinces in regard to the operation of the above pact? If so, in what manner, and for what reasons?

Mr. B. C. A. Cook: (a) Yes, Sir.

(b) No, Sir.

PUBLIC UTILITY CONCERNS

531. *Mr. K. C. Neogy: Will the Honourable Member for Planning and Development be pleased to state the number of public utility concerns owned by British and other non-Indian interests in India, indicating the amount of the capital involved in such concerns, and the policy of Government in the matter of acquiring these concerns on behalf of the State or Municipal or other statutory bodies in India?

The Honourable Sir Akbar Hydari: *First part:* 56.

Second part: Government have no information.

Third part: I refer the Honourable Member to the general statement on industrial policy, issued by the Government of India, and the statements of policy in regard to electric undertakings, Civil Aviation and Road Motor Transport, copies of which are available in the Library of the House. The policy set forth in those statements will be followed in regard to all public utility concerns, whether British or Indian.

RACIAL DISCRIMINATION AGAINST STUDENTS ON BOARD "S.S. Strathmore"

532. *Sri M. AnanthaSayanam Ayyangar: Will the War Secretary please state:

(a) if his attention has been drawn to a Reuter's message in the *Hindustan Times* of the 2nd February, 1946, relating to racial discrimination against students and others on board the "S. S. Strathmore" which arrived in England on the 14th January, 1946, from India;

(b) whether he has received any complaints from any one in the matter;

(c) what action, if any, he proposes to take to avoid recurrence of such incidents in future;

(d) who are the authorities who were responsible for such treatment of students from this country; and

(e) whether he proposes to make a full statement on the matter after making the necessary inquiries?

Mr. P. Mason: (a) Yes, Sir.

(b) No, Sir.

(c), (d) and (e). There is no discrimination in the berthing on Hired Transports except that Women and Children are given the best cabins with the maximum ventilation.

In the ship in question, all the cabins are well above the waterline on two decks with berths for 781 persons each. The statement that Indians were placed on a separate deck—which would have had to have accommodation for only 40 persons—is therefore obviously incorrect.

There are three classes in Hired Transports 'A', 'B' and 'C' which correspond to First Class, Second Class and Troopdeck. All civilians, I am informed, were Class 'A' and were all treated accordingly.

ELECTION OF MEMBERS TO DEFENCE CONSULTATIVE COMMITTEE

Mr. President: I understand that Mr. Mason wishes to make a statement to the House on the postponement of the elections to the Defence Consultative Committee.

Mr. P. Mason (Government of India: Nominated Official): Sir, a certain amount of discussion has taken place regarding the election of the Defence Consultative Committee and as the Parties are unable to reach an agreement, I venture to ask you, Sir, whether it would be possible to postpone the elections until tomorrow. It would perhaps give us time to reach an agreement today. I was in the process of reaching agreement just before the meeting today but we had not quite concluded our arrangements and it would help if the election could be postponed till tomorrow.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadian Urban): Sir, may I suggest one course which I think will be more regular than any other that may be suggested? The election has in effect started from 10-30 this morning and if you would be good enough to direct that the ballot will be closed tomorrow, say at 1 or 1-30 P.M., then I think it will be convenient to all the Parties in this House. I may tell you that what Mr. Mason has said, viz., that we are very near an agreement, is absolutely correct. I do not want to suggest any other course, because any other course may be considered by you to be irregular. Now that the election has in effect started, I think it would meet the views of all Parties if you would, Sir, kindly agree to give a direction that the ballot would remain open till and would be closed at 1 or 1-30 P.M. tomorrow.

Mr. President: May I know the views of the House?

Sir Mohammad Yamin Khan (Agra Division: Muhammadian Rural): Sir, the League Party has no objection to the postponement of the election till

tomorrow or if it is considered more regular to keep the ballot box open till tomorrow, which means practically the same thing. Either of the two courses will be acceptable to my Party.

Mr. O. P. Lawson (Bengal: European): We have no objection to the postponement. Provided you rule that the method suggested by the Opposition Leader is in order, we would have no objection.

Mr. President: The postponement of the election would be technically speaking not right at this stage, because the process has already started at 10-30 A. M. this morning. The only course, therefore, open is to postpone the closing of the ballot, which may be done in view of the unanimous wish of the House, till 1-30 P.M. tomorrow. That will be the best course. I must also make it clear that a postponement of this kind should not be treated as a precedent. I am agreeing only because of the unanimous wish of the House.

There is one more point. In regard to the cut motion that was moved on behalf of the Congress Party yesterday, I understand that the only thing that remains to be done is to put it to vote.

Sir Mohammad Yamin Khan: Sir, I was in the Chair and closure was not asked for in time. In fact closure could have been asked for from any quarter. The Honourable Member for Railways and War Transport got up at five minutes to five and there was no motion for closure up to that time. Therefore I allowed him to go on with his reply to the points raised not only by the mover of the cut motion but also from several sides of the House. I thought it would be in the interest of the House that the Honourable Member replied to all the points raised. Closure was not asked for till five minutes past five.

Shri Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): Sir, I wanted to move for closure at 5/5. I thought that the House would sit even after 5 as on some previous occasions. I did not like to move for closure in the midst of the Honourable Member's speech, because he would not finish his sentence.

Mr. President: I do not want to take up more time of the House, because any time now taken will mean curtailment of the time allotted to the Muslim League Party. It appears to me that unless the Honourable the War Transport Member says that his speech was not finished and he wants to say something more, matters will stand different. In that case according to the agreement of all Parties I would like to treat the motion as talked out. But if he has nothing more to add, it is a question merely of putting the cut motion to vote. It would not involve any loss of time, as it is only taking the opinion of the House.

The Honourable Sir Edward Benthall (Leader of the House): I had finished, Sir.

Mr. President: The only thing that practically remains now is putting the motion to the House.

The Honourable Sir Edward Benthall: Sir, I am not an expert on procedure. I thought that the understanding was that the Congress cut motion was to be moved yesterday and at 5 o'clock there should be closure of discussion. I do not think that Government should suffer from an error of the Chair.

Mr. President: I do not want anybody to suffer. The point is that even in the case of adjournment motions if the whole thing is completed just a minute before 6 o'clock and supposing a division is asked for, you go beyond 6 o'clock, though there should be a closure of the whole thing by 6 o'clock. In this case, of course, the matter stands entirely on the understanding between the Parties. If the understanding of the Parties has been, at any rate, on the part of the Government, that 5 o'clock means 5 o'clock and nothing further, I would not like to interfere.

The Honourable Sir Edward Benthall: I understood, as did the press, that the motion was talked out.

Mr. President: The point is one of agreement of Parties and not of deciding any procedure. To my mind, if Parties did not agree to the same thing in the same sense, then I must accept what the other Party has been saying about it. I accept the Government interpretation. As it is a question of agreement, I do not put the cut motion to the vote of the House.

BRETTON WOODS CONFERENCE AGREEMENT

PRESENTATION OF THE INTERIM REPORT* OF THE COMMITTEE

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I present the Interim Report of the Committee on the Bretton Woods Conference Agreement.

With your permission, Sir, I would like to raise one point. In effect this report recommends to the House that it agrees to the withdrawal of the second amendment moved to my original motion by Mr. Ananthasayanam Ayyangar, which will enable Government to proceed to appoint a governor to the fund and the bank. The first meeting takes place early in March, and unless the parties have different views I was proposing to move that the Report be taken into consideration on Thursday. If it can be disposed of in a few minutes on the limited point involved, well and good. Otherwise it is for the Parties to decide when they want the debate; but clearly if that went over the 8th March, I shall want to be absolved from the technical irregularity of ignoring the amendment of Mr. Ayyangar.

Mr. President: The proposal is to have a discussion on the report on the 28th February.

The Honourable Sir Archibald Rowlands: It must be taken into account that I may have to ask the House to sit on some other day.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): I feel that it will take time for the report has got about 8 or 9 headings; and if members of the committee speak their views and others in the House want to say their views, it will take time, and I would request you to appoint Saturday as a whole day for this purpose.

Mr. President: Saturday is, I believe, a holiday for Mahashivratri.

Mr. Manu Subedar: I did not know that. Then Government can give some other day.

The Honourable Sir Edward Benthall (Leader of the House): I suggest that Friday is the only possible day.

Mr. President: 28th is the day for the presentation of the budget at 5 P.M. But before that we have got the Insurance Bill, and I think one Bill of the Honourable Dr. Ambedkar also comes on that day.

The Honourable Sir Edward Benthall: Also the Supplementary Railway Demands.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): Sir, we on this side of the House have no objection to sit on Friday. I recognise it is an important matter and members from different sides of the House may like to speak. It is true, it is an agreed report, subject to a supplementary note, signed by some Honourable Members; but there are members on all sides of the House who may like to express their opinions. In those circumstances, I think it would be better to reserve a full day for the discussion of the report. If the House agrees, I think Friday will be a suitable day. Thursday, as it appears now, is already reserved for the discussion of various other matters.

Mr. Manu Subedar: It will be a great strain on the Finance Member who has to read his Budget speech.

The Honourable Sir Archibald Rowlands: I can take it.

Shri Sarat Chandra Bose: I am not worried about the strain that it will impose on the Finance Member because I believe he is quite willing to undergo that strain. But I think it will be better to reserve a full day for the discussion of this important subject namely, the report on the Bretton Woods institutions.

Mr. President: I was just thinking of having a compromise by starting it on Thursday, time permitting, and continuing it on Friday. Is it possible?

The Honourable Sir Archibald Rowlands: If time can be had, I am willing to start it on Thursday.

Mr. President: So it may be started on Thursday and it may be continued on Friday.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): If necessary.

Mr. President: Of course, if necessary.

Shri Sarat Chandra Bose: Unless the Honourable the Finance Member considers Thursday afternoon inauspicious!

Mr. President: So we will carry on like this: we will fix it for Thursday, time permitting, of course, and we will carry on the discussion on Friday.

RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—*contd.*

DEMAND No. 12—OPEN LINE WORKS—*contd.*

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I move:

"That a sum not exceeding Rs. 35,98,48,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Open Line Works'."

Mr. President: Motion moved:

"That a sum not exceeding Rs. 35,98,48,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1947, in respect of 'Open Line Works'."

Refusal of supplies for investment in Road Services

Nawab Siddique Ali Khan (Central Provinces and Berar: Muhammadan): Sir, I beg to move:

"That the demand under the head 'Open Line Works' be reduced by Rs. 3,47,98,000."

Mr. President, before I deal with the subject matter of the cut motion, I deem it necessary for the benefit of honourable members of this House to give a brief history of the rail road coordination scheme. On the 20th February 1945, my Honourable friend, Sir Muhammad Yamin Khan, had moved a cut motion which was accepted by this House to reduce the demand No. B-G by Rs. 82 lakhs. On the 8th April 1945, the Honourable War Transport Member, after consulting the party leaders of this House, got the grant of Rs. 82 lakhs restored. He made a statement on the floor of this House about the short term and the long term policies. The short term war policy was only to relieve congestion. The long term policy was that joint rail road companies should be formed consisting of railways, provincial governments and the old operators. We were assured that while forming these companies the provinces will follow the method of negotiation and not regimentation. We were also assured that the interests of existing operators will be safeguarded. The House is aware that on the opening day of the present session, my Honourable friend Mr. Mohanlal Saksena, moved an adjournment motion to censure the government for its failure to act according to the assurances given by the Honourable War Transport Member. As a result of the tabling of this adjournment motion, the Honourable Member promised to place the whole case before an *ad hoc* committee of this House and in view of the statement made by the Honourable Member, my friend Mr. Mohanlal Saksena agreed to withdraw his adjournment motion. The report of the *ad hoc* committee is before us.

[Nawab Siddique Ali Khan.]

We the members of the committee sitting on this side of the House unanimously agreed that in most provinces there was neither negotiation nor consultation; and as a matter of fact in pursuance of the agreement arrived at last year between the party leaders and the Honourable Member there should have been consultations and negotiations. We also recommended that in view of the impending changes in provinces, railway participation in the scheme should be postponed. We also further recommended that the Ordinance should be withdrawn and the permits cancelled under the Ordinance should be restored. The Honourable Members of this House will be justified in asking us as to why we took up this step. Sir, my Honourable friend the Railway Member has said in his minute of dissent that genuine attempts were made by the provinces to carry out the promise of the White Paper. Due to the shortness of time which is at my disposal I will make a brief reference to my province and the Bombay Presidency with a view to show that the Central Government has failed and that too miserably to implement its policy in provinces. I am sure my Honourable friends who will speak on the cut motion after me will tell the House as to what is actually happening in their provinces and I am also sure that my Honourable friend Sir Muhammad Yamin Khan will tell us about the attitude of the Railway Standing Finance Committee with regard to this matter. In my province the policy was declared for the first time on the 6th February 1946. It has to be borne in mind that the *ad hoc* committee met on the 5th February. That is, this policy in my province was declared one day after the *ad hoc* committee met in Delhi. I have got a letter before me written by Mr. Pears, Joint Secretary to Government, Central Provinces and Berar. This letter was addressed to the President of the Provincial Motor Union, Bilaspur. He says:

"I am directed by the Governor of the Central Provinces and Berar to enclose a copy together with 50 copies of the White Paper which the Government of India propose to lay on the table of the House during the current session of the Central Legislature. This sets out the policy of the Central Government in regard to participation of State Railways in road motor transport. The Provincial Government is in agreement with this policy."

May I know from my Honourable friend if this is a genuine attempt to negotiate with the existing operators when two new companies which were agents of Ford and Chevrolet and which had only motor repair shops had already been formed and given the monopoly in the province at the instance of the Local Government. Sir, not only this but train service between Badnera, Amraoti, Nagpur, Kamptee and Ramtek were discontinued only to oblige these two new companies because passengers preferred to travel by train as railway fare was cheaper than the bus fare. I have got railway tickets here which show that railway fare from Nagpur to Kamptee was 3 annas and the bus fare according to this notice which I have got here is 5 annas. The Railway fare from Nagpur to Ramtek is 8 annas and the bus fare is 12 annas and the railway fare between Badnera and Amraoti used to be 2 annas while the bus fare at present is 3 annas. Sir, it is very difficult for the Honourable Members of this House to imagine the inconveniences caused to the public by travelling in the overcrowded buses and waiting for hours together in expectation of getting seats in those buses. Sir, the Provincial Motor Transport Controller who is a Police Officer is no doubt a Hitler in miniature. He holds several posts. He is the Petrol Rationing Authority as well as the Joint Secretary to the C. P. Government. He being armed with these powers has shabbily treated the poor operators in my province and also with the aid of the ordinance. He has cancelled their permits. He has refused to supply them motor tyres, tubes and other accessories, thereby depriving these poor operators of their only means of livelihood. Is the Honourable Member justified in saying that such an autocrat made a genuine attempt to negotiate with the operators or made the slightest attempt to safeguard their interests.

Sir, I now turn to the Bombay Presidency. In the districts of Bombay, Poona, Ahmednagar, Sholapur and Belgaum there are operators who possess 268 permits. Ignoring the claims of these old operators a new company called the Relief Services Limited was started. Although the old operators applied

for permits to run more buses on those very routes, they were refused permission. Can this be called a genuine attempt to help the old operators. I have got a document in my possession which shows that the Provincial Motor Transport Controller of Bombay has personally got shares in the Silver Jubilee Limited of Poona. This is scandalous and is no doubt against the provision of section 44(2) of the Motor Vehicles Act. His brother and two sisters have shares to the value of Rupees one Lakh. The pamphlet which I have got before me on the front page says that ordinary shares of Rs. one thousand each given to so and so for help given in the promotion of the company as fully paid up shares for consideration other than cash. (*An Honourable Member*: "Is this not corruption"?) I have said it is against the Act.

Mr. President: The Honourable Member has only one minute more.

Nawab Siddique Ali Khan: I crave your indulgence for some more time. This is an important subject.

Mr. President: It is only because the parties are agreed on the time limit of 15 minutes that I reminded the Honourable Member of the time limit. If it is the desire of the House that a particular cut should be discussed for a longer time, I have no objection. What is the desire of the House.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): The Honourable Member may be given a little more time.

Mr. President: It is not a question of the Honourable Member being given a little more time. I want to know the agreement of the parties. There are five cuts and if all the cuts are moved, each cut will get only 40 minutes which is perhaps too short a time. I can give the Honourable Member ten minutes more; but may I know what is the desire of the House. Later on other speakers will find their time curtailed, while some others get longer time now.

Nawab Siddique Ali Khan: I shall not take more than 5 minutes.

Mr. President: If it is the desire of the House to have three cuts, let the position be made clear. If it is desired to move three cuts only, then each cut with get at least one hour.

Nawab Siddique Ali Khan: I won't take much time.

Mr. President: Very well. The Honourable Member can go on till he finishes his speech.

The Honourable Sir Edward Benthall: I hope the Government speaker will also be allowed the same latitude.

Mr. President: Certainly.

Nawab Siddique Ali Khan: The consequent result of this was that two gentlemen were made promoters. May I venture to ask: Was this a genuine attempt to save the operators from the onslaughts of the capitalists? Truly it was a genuine attempt to cheat the Government and rob the poor people. Personally, I feel and I am emboldened to say the same on behalf of my Party, which endorses my view that the rail-road co-ordination scheme has been a total failure. The Central Government has no effective machinery to enforce this scheme in the provinces by which the interests of poor operators could be safeguarded and the inconveniences and hardships caused to the public in general could be removed. I do not wish to take any more time of the House and I commend my cut motion for the acceptance of the House.

Mr. President: Cut motion moved:

"That the demand under the head 'Open Line Works' be reduced by Rs. 3,47,96,000."

Mr. M. R. Masani (Bombay City: Non-Muhammadan Urban): **Mr. President**, I rise to support the refusal of supplies moved by the preceding speaker. In doing so, I would like at the outset to make it clear that I am personally thoroughly disinterested as between the railways and the roads, and in my endeavour to remain neutral I always make it a point to fly! In saying this, I am serious to this extent that the interests of the operators on the one side and of the State railways on the other have both to be subordinated to the over-riding interests of the country as a whole. And the fact that one party happens

[Mr. M. R. Masani.]

to be State-owned and the other free enterprise does not place the railways in any higher moral position than the road transport services. There is a widespread feeling that the present rail-road co-ordination scheme has been devised out of a fear, whether justified or unjustified, on the part of the State railways that they are endangered by the development of road transport. That motive has been ascribed by a large number of people, including recently the Vice-President of the Indian Merchants Chamber in Bombay in an official speech.

The motion before the House for the refusal of supplies can be based on a limited ground and that is that since political and constitutional changes are impending—certainly in the provinces and perhaps in the Centre—it is contrary to an elementary rule of public administration that a Government which is on its way out should commit the country or a province to a far-reaching measure of this nature. Therefore, the majority of the *ad hoc* Committee's recommendation is the one which I am supporting. If it were necessary, I would refer to the remarks of Pandit Govind Ballabh Pant, who was at one time Premier in the United Provinces, when last November he quite openly and definitely warned all the people concerned that if they placed their money or invested their money in these corporations which being set up, they were doing so at their own risk and that the Government which would take shape in that province in the very near future would not consider itself bound by any commitments made by the present Advisers' regime. That shows very clearly that the present Governments, unrepresentative as they are in the provinces and in the Centre, have no business to commit either the Centre or the provinces to far-reaching relationships of this kind. Since there is every possibility of, and we can look forward to, the operation of the scheme being suspended by a refusal of supplies, I think it would not be out of place to put before the House certain general considerations which point to the need for the entire scrapping of the scheme, not because rail-road co-ordination is to be done away with—obviously it is essential—but because this is not really a scheme for co-ordination but for monopoly.

Yesterday, the Honourable Member in charge of this subject said that the present scheme did not rule out competition in service but only in rates. He said: "We want competition in service but not in rates". With all respect, I say that that is not a fair estimate of the scheme that is at present before us. I say that this scheme, while professing to be a scheme of co-ordination, is in reality a scheme of monopoly, and of monopoly dominated by the existing monopolists, the State railways. If you only refer to the White Paper put before us (page 4, clause 14), Government themselves make it clear by saying:

"It is the view of the Central Government that competition on the basis of gain will inevitably result in uneconomic duplication. They think, therefore, that the new joint Companies must in time have a monopoly of the type of road transport on the routes, or in the area, covered by their permits. . . . But in any case the joint Companies should have a monopoly on the routes and of the type of traffic (passenger or goods) covered by their permit."

That, Sir, is one way in which the monopoly would work. There is also an attempt at a more insidious and far-reaching monopoly on the part of the railways. That you will find in the report of the conclusions of the Eighth Meeting of the Transport Advisory Council, which, I understand, met in November 1945.

The Honourable Sir Edward Benthall: That, Sir, is not a published document.

Mr. M. R. Masani: Whether it is published or not, the intentions of the promoters of the scheme are revealed by it and in one of its clauses—this is the endorsement of the Council to the recommendations—it says:

"During the first year until experience has been gained of the working of the Code, Transport Authorities should scrutinise with particular care applications for grant or renewal of public carrier permits for distances exceeding 50 miles and not exceeding 100 miles between places connected by railway."

Later on, in the definitive provisions it is provided that . . .

The Honourable Sir Edward Benthall: Is the Honourable Member in order in reading from a confidential document which is, as a matter of fact, under discussion between the Provincial Governments and the Centre and is not an agreed document?

Mr. President: Is it a confidential document?

Mr. Manu Subedar (Indian Merchants Chamber and Bureau: Indian Commerce): Is it not the proposal of the Central Government and the Provincial Governments are merely invited to say Yes or No to it?

The Honourable Sir Edward Benthall: It is the result of the deliberations of the Transport Advisory Council which consists of members of the Provincial and Central Governments and it is now the subject of discussion by means of correspondence between the two. It is not a settled policy until it has been agreed to.

Mr. President: I want to be clear on facts. In what sense it is a confidential document?

The Honourable Sir Edward Benthall: It is not a published document. I have no real desire to stop discussion on this particular aspect, but I would like to make it clear that it is only a policy which is under discussion between the Provinces and the Centre and it has not yet been finalised.

Mr. President: I do not think any further discussion on this point is necessary. It is clear that the document is not a confidential one; it is only at the stage of discussion, as the Honourable Member says; and it is an unpublished document. But I believe copies are distributed to Honourable Members. I want to be clear on the facts. Has the Honourable Member got a copy of it from the library?

Mr. M. E. Masani: Yes, Sir.

Mr. President: Then it is not a confidential document.

Mr. M. E. Masani: I hope, Sir, you will not deduct the time occupied just now in this discussion from the time limit allotted to my speech! Sir, I was reading the conclusions of the meeting of the Transport Advisory Council:

"A Regional authority should not, save in accordance with the general or specific instructions of the Provincial Transport Commissioner or Authority grant or renew any public carrier's permit valid for a distance exceeding 50 miles between places served by railway; and should not in any case grant or renew such a permit valid for a distance exceeding 100 miles between places connected by railway but should refer the application to the Provincial Transport Commissioner or Authority."

It goes on:

"Subject to a hearing having been duly accorded to the interested parties, including the railway administration concerned, and to due regard having been had to the needs of the area for transport to the interests of existing road operators and to the need for co-ordination between road and rail, the competent Transport Officer or Authority in considering applications for the grant or renewal of a public carrier's permit valid between places connected by railway—

(a) should require strong economic justification to be shown to his satisfaction before granting or renewing a permit for a distance exceeding 100 miles, but not exceeding 200 miles; and

(b) should grant or renew a permit valid for a distance exceeding 200 miles only in every exceptional cases."

Now, Sir, these are valid attempts at getting a monopoly. In America, a lot of passengers are carried in buses at very cheap rates, and but for the fact that there is an efficient bus service, a lot of people in America would not be able to go from the west coast to the east coast and back if this alternative bus service was not available.

The Honourable Sir Edward Benthall: That applies to goods, not to passengers.

Mr. M. E. Masani: I thought this public carriers permit applied to carriers of both forms of traffic. I stand corrected. There is no reason why goods should not be so transported, if it can be done at cheaper cost and at greater convenience to people who want their goods to be carried.

Mr. Manu Subedar: Door to door delivery.

Mr. M. R. Masani: I say, Sir, this scheme savours strongly of monopoly. I would like to oppose the very conception of monopoly as applied to our transport service. I do so though I am a socialist. According to my socialist faith, I do not believe it is necessary to support any and every measure of nationalisation. Nationalisation, after all, is an instrument, a means to an end, and if it impedes social justice, if in a particular case it impedes the spreading of democracy to the economic sphere of life, then, I, Sir, would oppose it.

The reasons why I oppose monopoly are manifold. I shall just mention the reasons very briefly, because the time at my disposal would not permit of elaboration. The outstanding reason for opposing monopoly in our country is the backwardness of India. In the matter of roads, India has 35 miles of road mileage for every 100 square miles of area, as compared with 100 miles in the United States and 200 miles in the United Kingdom. India has only five motor vehicles for every lakh of population as against 1,200 in England and 3,300 in America. If road transport is backward, the position in regard to railways is by no means very much better. While India has a railway mileage of 41,000 miles, Europe (excluding Russia) with a similar area has 190,000 miles of railroads. What I am suggesting is that we are very far away from saturation point. We can do with a lot of more railways, a lot of more motor transport. Tiny countries like England and Japan may be vexed with the problem of rail-road rivalry. We in this vast country have no reason to have headaches on this score. I would ask the Honourable Member in charge of Railways to remember that he is talking of a vast country, a potential great power, and therefore, we do not want the narrow outlook which small countries like England or Japan, or other countries of that size, are obliged to take. India is big enough for more railways, more roads, more shipping and more air lines. We want healthy competition between all these modes of transport. That is the only guarantee that new technical developments will be utilised and that efficiency will be maintained on both sides. Therefore, if the railways fear competition, their first duty is to put their house in order.

The next reason for opposing monopoly at this stage is that there is complete absence of information and data. In what way competition from road transport has affected the railways is not clearly discernible. While other factors like depression were there, it is no good the railways blaming road transport for interference by reason of their competition. In the absence of correct information and proper data, we cannot give to any people the right of monopoly.

So also, this attempt to set up a Transport Monopoly goes against the very basis of what I would call Gandhian thought. We in this country have to think on new lines, we should take advantage of the latest developments in science, and arrive at decentralised economy. We want economic power to be democratic, we want it to be spread over the largest number of hands possible. I oppose the whole scheme on socialist grounds because it is against the small man. I want the small man to have a place in society, and the small man includes the small road transport operator. I would much rather have the small Indian operator than the big British bureaucrat. I therefore think that the existence of free enterprise and free competition is a very valuable thing. We do not want every one to be reduced to the position of "small screws in the big machine of State". If I had the time, I could quote the British socialist Professor G. D. H. Cole and others who have recognised that the maintenance of the small man in trade, in industry and in transport is not an anti-socialist measure but is a pro-socialist measure as against the octopus of a big State that threatens to crush every one alike. Therefore, I would say that now that the scheme will be kept in abeyance, the Provincial Governments in the Provinces, and we hope a democratic Government in the Centre also, will have a chance to review the whole measure and scrap any attempt to have a monopoly in any form.

There are two ways by which one can go about this co-ordination. Co-ordination can be in rates or in ownership and control. Rates in railways, rates

on the roads, in the air and on water ways can be co-ordinated and competition equalised or evened out, and there is no reason why any one who wants to go into this enterprise of road transport should not be free to do so. In other words, the forming of provincial corporations or zonal companies is not a necessary part of co-ordination. You can have co-ordination of rates within the framework of free competition in road transport and between roads and rails. That is the method followed by the American Inter State Commerce Commission which recently reported that the policy should be one of determining minimum rates and letting traffic divide itself between competing agencies. The attempt here is to canalise traffic in a particular route, not to give it a free chance to flow this way and that. I suggest that a co-ordinated and efficient and fully developed transport system can be made possible by means of a Central All India Transport Board, which would not only control the railways but also roads, rivers and airways which would also be represented on that central authority. The railways are no more entitled to dominate over road transport than road transport over the railways. To interfere in any one branch of transport is nothing but dominating it. According to the scheme proposed, although the Honourable Member denies it, it really means domination of railways over other forms of transport.

Now, Sir, one last point. The Honourable Member's Minute of Dissent to the Majority Report of the *ad hoc* Committee is based on his anxiety and impatience not to have even a few weeks' or months' delay. That, Sir, is very estimable because we in India have suffered too long from delays of all kinds. May I say, Sir, that the Honourable Member's anxiety cannot be more pronounced than that of a person like Pandit Jawaharlal Nehru, the President of the National Planning Committee, one of our most eminent and ardent planners? Pandit Jawaharlal Nehru, with all his impatience and enthusiasm, says:

"It should have been easily possible for this matter to be postponed for a few months in order to consider the obvious objections to this scheme. While I realise that some co-ordination is desirable and that small scale operators cannot easily function with efficiency and with convenience to the public, I am of opinion that the present U. P. rail road co-ordination scheme is in many ways unfair to the operators of the province. The procedure adopted under the scheme is causing great hardship to a large number of people."

I would therefore suggest that the Honourable Member might also take this view that a little more delay, of a few weeks or months, is not going to do very much harm when matters of far reaching importance are to be considered. In fact, in his own speech before the Assembly which he delivered, I understand, last April, the Honourable Member himself described the problem as "a problem which will require considerable statesmanship and patience spread over a number of years, if we are to secure an orderly development of transport for the country's welfare". I suggest that just as the Honourable Member has been trying to impress on us the virtues of patience when we were dealing with the grievances of third class passengers or the manufacture of locomotives in India, so too we can preach patience to him when our interests are concerned. In any case, it does not lie in the mouths of those who have taken over a century to get down to the job of organising our road transport to show such impatience at this stage.

Mr. A. C. Turner (Government of India: Nominated Official): Sir, although two individual opinions to the contrary have been expressed this morning, I think it is a fact that all parties in this House and also the *ad hoc* committee of this House have agreed that Government's policy of forming joint road-rail companies is the correct policy. (*Cries of "No, no"*.) This policy is designed to provide (1) the public reliable and efficient service at fair prices, (2) co-ordination between road and rail transport designed to avoid lapsing into the old state of cut-throat competition, and (3) to yield a reasonable return to the shareholders of the companies. The *ad hoc* committee have agreed that the white paper embodies these principles and, so far as I am aware, there is no allegation that the Central Government have not done all in their power faithfully to carry out the intentions underlying that agreement. The one point in issue seems to me to be the allegation that in some areas there has been insufficient consultation with the existing road operators and that they may not have

[Mr. A. C. Turner.]

received a fair deal. While this is a serious matter in so far as it may exist, Government are satisfied that there are many areas in which negotiations with existing operators have been full and agreements have been reached which are approved by all and the buses are now ready to be put on to the road. Clearly in such areas there can be no need or justification for holding everything up.

The *ad hoc* committee have recommended postponement of any further investments in view of the impending changes in the Provincial Governments. Since all parties in this House have expressed agreement with the policy I cannot see what advantage may be gained by suspending all action along the approved lines of the policy. The one object is to ensure that existing operators get a fair deal. Where no fear exists on this score surely the schemes should go ahead. Where genuine grievances exist, is it not better to get those grievances redressed at once? It was for this reason that the Honourable Leader of the House in his note of dissent on paragraph 4 of the *ad hoc* committee's report suggested that any cases where disagreements persist may be referred to a committee of this House. It must be remembered that the objective of the committee and of the Mover of this cut motion is to secure fairplay for the existing operators. Postponement where grievances exist may ultimately benefit some operators, but postponement where there is practically complete agreement and where months have been spent in planning and considerable expense has been incurred by the existing operators and where everything is now ready to put the buses on the road, would in my opinion do grievous harm and injustice to the operators concerned. Where no dispute exists clearly the services should be put into operation both in the interests of the existing operators and also of the public which want the road services.

Coming to the actual cut which has now been proposed, the proposal is to cut the whole amount of supply. Is this not a peculiar way of trying to remedy a minor ailment? Does it not seem like trying to cure a patient of a small ill by cutting off his head?

Sri M. Ananthasayanam Ayyangar: (Madras Ceded District and Chittoor non-Muhammadian Rural): May I know whether a major ill can be cured by cutting off the head?

Mr. A. C. Turner: That too would be unusual. Sir, the *ad hoc* committee have supported the policy and have only recommended the postponement of further investment.

Sir Mohammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, there is no question of 'further' investments. I have been listening to the Honourable Member's speech and he has twice misrepresented the report of the committee. There is no such word as 'further'. It says there should be no investment.

Mr. A. C. Turner: Presumably that also means that we should enter into no further commitments. The intention may be to criticise the action of the past, but any reasonable man must understand the recommendation of the committee to be that there should be no commitments in future also.

Sir Mohammad Yamin Khan: It means, no investment.

Mr. A. C. Turner: To continue, the *ad hoc* committee recommended postponement of investments. They clearly visualised proceeding with the implementation of the scheme in the comparatively near future. If, however, the whole of the provision of 8 crores and 48 lakhs is cut, neither the present nor the future Government can make any further investments, nor can any of the schemes proceed, until a supplementary grant is voted by this House; and that presumably would be some time next autumn at the earliest. This must cause considerable financial loss to Government, to promoters and to existing operators, and would deprive the public of efficient services for months to come. Surely this cannot be the intention of this House. I would in the circumstances strongly urge on the Honourable Mover to reduce the amount of his cut to (say) 2 crores instead of 8 crores and 48 lakhs. The remaining provision would suffice

to enable Government to make some progress and incur some further financial commitments in areas where there is no dispute, or, if this House so prefers, in cases where a committee of this House, as already proposed by the Leader of the House, is satisfied that the terms of the White Paper have been substantially observed.

Mr. H. G. Stokes (Bombay: European): Sir, when I first saw this motion I felt that it was an invitation to an execution. By it we have been asked to sentence to death the policy of rail-road co-ordination to which this House agreed last April; and after listening to the speeches of the Honourable Mover and my Honourable friend Mr. Masani I am strengthened in that view. We agreed to that policy last April but we never thought it the best policy that could be devised for the industry. I hope to say more on that later, but we did feel that that policy had many good points and we also felt that it was, at that time at any rate, the only policy that could secure general favour and general agreement in this House. Also we felt that a policy at that time was a very urgent necessity. Now, Sir, last April the war was nearing its end or rather was in its later stages, and the era of post-war development was—I think all will agree—in sight. We felt and we feel that whatever plan may be adopted, whatever plan my Honourable friends may decide upon when they come to power, a really sound and speedy development of motor transport is an absolute necessity. If we take a long view, Sir, transport is just as necessary for the development of industry in the cities, I submit, as it is for the development of the rural areas and the villages.

Then there is another point of view that I should like to refer to which concerns the question of employment. In this respect we here find ourselves in agreement with the views both of my Honourable friend Mr. Guruswami and of my Honourable friend Mr. Anthony. Mr. Guruswami says that he does not wish a single man to be deprived of a job to make room for the soldiers who are coming back. Now, Sir, leaving justice out of the question, that is sound common sense for it is not a solution of the problem. If you want to get five and if you take away two from four and if you add two you still get four and not five. What we need is more jobs and new jobs. We also entirely agree with the views of Mr. Anthony that we should do the best we possibly can for these men who are coming back out of the forces. They fought for us, they have saved India and it is up to us to give them the best jobs that we can possibly find. These Sir, an expanding road transport industry can provide. Many of them came from the field and from the bullockcart. They are now trained technicians and they won't go back, and it is not reasonable I submit

12 Noon to expect them to go back.

We saw other advantages in this policy. The policy of rail-road co-ordination has been a success in the United Kingdom. The railways have invested largely in road services—the figure, I believe, is something like 18 crores—and they secure a very good return on their money. We saw in the policy an opportunity for safeguarding the rights of the operators to which my Honourable friend, Mr. Masani, has referred, and we regard that, like everybody else in the House, as a most important fact. Then, Sir, the scheme whereby the Railways provided a certain amount of capital was to us good, because it meant that money would be readily available, and just at the time probably when there would be heavy calls on capital development, and the provision of this by the Railways would make it unnecessary for the big capitalist interests to come in which we were all agreed should be kept out of the industry. Those are the advantages that we saw in the policy, but in its short life it has developed a feature to which we cannot but object. I refer to the somewhat inordinate appetite of the provinces for a share of the pudding. Provinces in many cases have taken a large helping, the railways have taken a large helping, and as a result, in a number of cases, there is a precious little left for the operator and for the public. That means undue participation by the Railways and by the Provincial Governments, and that, Sir, leads naturally to financial domination. Financial domination I would like to describe as a Frankenstein—a word that was used in our deliberations last April, I forget who used it, I think the

[Mr. H. G. Stokes.]

Honourable Mr. Desai. I don't know what a 'Frankenstein' exactly is, but I gather it is an all-devouring monster

Prof N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Man-made monster.

Mr. H. G. Stokes: It is certainly an all-devouring monster, and I submit that we are justified in thinking that when the 'Frankenstein' comes out of its lair, it brings with it nationalization. We here oppose nationalization not because we are capitalists though we certainly believe in the capital structure for industry, but, Sir, we oppose it because we firmly and sincerely believe that industry will develop quicker and will achieve a healthier growth if full range is given to individual effort, to individual initiative, and to individual ambition

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Like the East India Company!

Mr. H. G. Stokes: No, Sir. We do not consider that this very valuable policy—it is valuable in our opinion—can possibly have free development under the dead weight of Government control. We here see no reason why nationalization should be the best. What we should like is that this industry should grow up in free and healthy competition with the Railways. That, Sir, we think is the best policy. Obviously it must be controlled—there I agree with my Honourable friend Mr. Masani—because control is needed for the safety of the public who will use the services, and control is needed to prevent undue competition by the railways and undue and unfair competition amongst the operators themselves, which leads to bad services and a fall in the safety rate. I do not propose here to suggest how that control could be achieved, but I see in the White Paper in Section 14 that Government suggests the Motor Vehicles Act of 1939. Government have suggested there that the Act should be amended—I think that is necessary—but they also suggest that power should be given to the Regional Transport Authority or to some other authority to levy, fines, for the non-performance of certain duties. That, Sir, I am afraid, we here cannot possibly agree to. We do not think that fines should be levied by any but a judicial body and we should strongly object to the power being given to a statutory body of the kind I have mentioned. So much for policy.

I would now like to say a little about the *ad hoc* Committee Report of which I was privileged to be a member. Paragraph 4 of that Report I think cuts right across the rail-road policy. It is true that it only recommends postponement, but I feel and I felt that that postponement, which is *sine die*, might be very much prolonged. It is expected that Provincial Governments will shortly come in—at least we hope so—and I dare say they have, in many cases, a policy for road transport ready. I suggest that you may have a policy ready, but it takes time to work out the details and it takes time to convince people that it is the best policy and that it should be put into effect. I fear that this postponement is going to be a very lengthy one, and I venture to back up my Honourable friend, Mr. Turner, in suggesting that it is inadvisable at this time. I submit that it is not fair to the public who want these services, who are anxious that transport facilities should be extended during the time when rail-road travel must still be very restricted. I submit, Sir, that it is going to be a great hardship to the operators many of whom have made up their minds to join this scheme and have probably made binding financial arrangements, and here, Sir, I would like to say a word about the question of persuasion. I am afraid I could not agree with the majority of my colleagues that there has been lack of persuasion in most of the provinces. I do not think I am justified in divulging anything here or speaking of individual provinces. I rather gather that the deliberations of the Committee must be regarded as confidential. So I will only say that only in one province was I completely satisfied that very much further persuasion was needed. That was the U. P. to which the Honourable Mover has I think referred.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Bufal): What about the Central Provinces?

Mr. H. G. Stokes: The Central Provinces Government—if I may speak on it as I am not personally concerned—had, long before we discussed our policy last April, entered into certain commitments and had decided on a certain policy. I do not defend their action in any way.

Shri Mohan Lal Saksena: They are indefensible!

Mr. H. G. Stokes: My honourable friend says that they are indefensible. I do not defend them and I do not intend to do so. But I do feel that the Central Government cannot be blamed for what happened in the Central Provinces. My time is short.

Mr. President: The Honourable Member has only about a minute.

Mr. H. G. Stokes: Thank you. I will conclude. This year is a very important year for motor transport because we are going to have for the first time, as the Government has told us, for six years, a large number of new vehicles.

Shri Mohan Lal Saksena: You are to dispose of them all!

Mr. H. G. Stokes: And you have also a very large number being released by the military authorities, both British and American and there is I submit an ideal opportunity for the new companies to secure vehicles at very reasonable prices and good vehicles so that these services can be extended.

I had intended to conclude with an appeal to the Honourable the mover that he would reconsider his decision and agree to something such as my honourable friend Mr. Turner has suggested. But, Sir, my time is up and Mr. Turner has already made that appeal. If the original motion is pressed, then I am afraid we must vote against it.

Sir Mohammad Yamin Khan: First of all I must take exception to the statement which my honourable friend, Mr. Turner, the Financial Commissioner for Railways, has made, and I must say that he has absolutely misrepresented and misinterpreted the *ad hoc* Committee's report and what was in their minds. The Committee did not approve of the scheme at all. They only said that they think that the White Paper fairly represents, not *in toto* but fairly represents the scheme as was put by the Honourable Member in charge last year. They did not approve of it. They have shown in other paragraphs that they are not altogether agreeable to that scheme.

The second thing what the Honourable Member has tried to show is that the *ad hoc* Committee had only asked that no further investment be made. The Committee has clearly said that no investment should be made because it was never put before this Committee that any kind of investment had been made.

The Honourable Sir Edward Benthall: Question!

Sir Mohammad Yamin Khan: The Committee said that it was not brought to the notice of the Committee officially that any investment had been made. Therefore the Committee did not consider it to be seized with the question of any penny having been spent. They said it is the jurisdiction of the Standing Finance Committee for Railways to see whether any money has been spent and to investigate with what authority it has been spent, because the Standing Finance Committee had never given any consent for even a single penny to be spent on this scheme. Therefore any penny which has been spent will have to be decided by this House whether this has been done rightly or wrongly and the *ad hoc* Committee has given its verdict that if any money has been spent, this has been done irregularly, for which my Honourable friend was very anxious that this word should be taken out so that he may not be taken to task by the Finance Department that he has spent the money irregularly, and I endorse it that whatever expenditure has been incurred that has been irregular and unwarranted and without any authority by this House. I will go further and say that when the demand comes for the supplementary grant this House will properly deal with this demand and will express the opinion that this House had never been consulted and no sanction was behind that expenditure.

[Sir Mohammad Yamin Khan]

Sir, now I will deal with this question. My honourable friend, the War Transport Member, said last year that if the House agreed he would proceed with the negotiations with the provinces. That was the only authority given and not for expenditure by this House. The Rs. 82 lakhs which were restored, were restored on a different cut as explained by him for different purposes but this money was absolutely not allowed by the Standing Finance Committee. Even in his speech, the Honourable Member said that if anything will be required, he will come before the Committee and will take its approval. These are the words:

"I undertake, however, that in any case the remaining. . . . will be specifically placed before the Standing Finance Committee for Railways for approval before any agreement is finalized."

The Honourable Sir Edward Benthall: If I remember aright, that applied to managing agents only.

Sir Mohammad Yamin Khan: Quite right. Further the Honourable Member said:

"I shall then proceed to address Provincial Governments to urge on them the acceptance of the principles laid down where they have not have been already accepted."

And then he said that he will come before the House and will keep them informed every time as the matter progresses. These are words from his speech. I need not quote every word of it. If he reads his speech he will find "that the Government will proceed on these lines and will continue to keep the House and its Committees informed of the progress". He did not ask for sanction that he may be allowed to go and spend money.

Then according to the convention of the House if the scheme is accepted, every demand for the expenditure has to be scrutinised by the Standing Finance Committee for Railways and they have to examine every scheme and then give the sanction. The Standing Finance Committee was never consulted for any kind of expenditure whatsoever. Therefore, I say the whole expenditure is unauthorised and irregular and those who have spent this they will have to make it up either from their pockets or the Government will deal with them and see how the money can be recovered. If they are so powerful that they can spend public money and not be responsible for it, then of course I have nothing to say. But as far as power lies in this House, it will never endorse any penny having been spent without the sanction of this House.

The Honourable Member had very clearly promised that the operators will be consulted and will be given full opportunity to speak and their co-operation sought and after making this promise he said:

"Actions speak louder than words and I do hope that when this House meets again they will not find that our actions fall short of our professions."

I will show clearly and briefly how their actions have fallen short of their professions. They have not been consistent at all. Again he says "I promise to the operators a square deal, so far as it is in my power". What is the square deal to the operator. The square deal to the operators has been that an ordinance has been issued and under it the permits have been stopped which could be under ordinary Law renewed. The men are entitled to have their permits for three years and the square deal which the Honourable Member has done is that he has taken advantage of getting the signature of the Governor General to issue an ordinance over-riding the law which was passed by this House, so that their permits can be cancelled before their time. Those people are not only threatened by the cancellation of their permits but after cancellation they are presented with a document written under the authority of whom? I shall tell you. Here is one company which I have got. The document is signed by Mr. B. N. Bery, General Manager of the North Western Railway, Mr. Thom, Provincial Transport Commissioner, United Provinces and Mr. De Mello, General Manager of the Gwalior and Northern India Transport Co. Ltd. This is done after their permits had been cancelled. They say "If you have got any lorry, the value of your permit is only Rs. 500. You are getting no more than Rs. 500 per permit".

The valuation is to be put on the lorry and if they do not accept the price and if they want to sell to any other person, these men will not be entitled to invest their money in the company but they lose their rights and become ordinary private citizens.

The second point is, ordinarily if a bus becomes unserviceable the man exchanges it for another through a company. This company wants that all these should be treated as scrap and must be sold in the market as such at whatever price they can fetch and the company is not prepared to take it. This is the fair deal that the Honourable Member has promised. I say that the working has been from the beginning to the end absolutely inconsistent with the promises given.

The Honourable Member was trying to show to this House that there were certain cases where Governments were proceeding and the railways had done nothing of any kind and no commitment had been made on the 3rd April, 1945. In the note which was presented to the Standing Finance Committee for Railways it is disclosed that the G. I. P. Railway entered into an agreement with Messrs Sultan Chinoy and another Transport company in August 1944. With whose authority was this done?

The Honourable Sir Edward Benthall: In pursuance of the policy which had long been accepted by Government, arising originally out of the Wedgewood Report.

Prof. N. G. Ranga: This House negatived the Wedgewood Report and condemned it.

Sir Mohammad Yamin Khan: This is the way this House has been treated. This was in the possession of the Honourable Member and he never placed these facts before this House. He said that the C. P. Government were negotiating and before they finalised every thing will be placed before the Standing Finance Committee and before the House. He ought to have told the House that the Government on behalf of the Railways had approached certain companies to negotiate for participation in the road rail scheme but this was never disclosed to the House. We find that in August 1944 this was an accomplished fact. As a matter of fact the C. P. Government had not agreed to allow Messrs Sultan Chinoy and Co. to start their company unless they agreed to give 50 per cent. shares to the public and that was only up to the extent of ten lakhs but the Government negatived this and railways came in and wanted to increase it to 50 lakhs. This matter was presented to the Standing Finance Committee which remarked as follows. This is a kind of censure. The Committee said:

"They considered it unfortunate (of course in a polite manner) that in the case of the C. P. Transport Service, Ltd., the matter of appointment of managing agents had gone so far that it was impracticable to upset the arrangements, but they approve the schemes subject to the following recommendations." It means this that if they do not accept these, every thing is thrown off. First, "The period of the managing agency should be reduced to ten years" that is instead of 20 years, which they were proposing, and "the remuneration of the managing agent should be reduced from ten to 5 per cent. profit thereof."

"The consideration for shares allotted to road operators should be taken in the form of vehicles at assessed value and any balance in the form of cash." Messrs Sultan Chinoy and the other transport company did not agree to these conditions, which means that the Standing Finance Committee's acceptance is null and void. The Standing Finance Committee met on the 25th July when they passed the above remarks and though the committee existed till the 30th September, 1945, no further approach was made to it. Now I see the Honourable Member is anxious. His dissenting note is very clear. He wants to kill the operators by one stroke. That is the square deal which the Honourable Member wants to give. Though an ordinance has been issued, the majority report of the committee said that all the permits which had been invalidated under the ordinance should be validated and the ordinary law should take its course but the Honourable Member is unable to accept this report. This is the fair deal which we can expect from the Railway Department and from those who are interested in running these services. My Honourable friend Mr. Stokes

[Sir Mohammad Yamin Khan] has said that the public wants that these new buses should come in but I think nobody except himself or his group wants that there should be a change of the kind as is suggested in the schemes. At present the railways are charging less than 4½ pies, in some places 3 pies per mile with a little surcharge and what is suggested here in this scheme is that 6 pies per mile will be charged from third class accommodation in the lorries.

The Honourable Sir Edward Benthall: That is not the Central Government.

Sir Mohammad Yamin Khan: This is issued under the signature of Mr. Berry, the General Manager of N. W. R.

The Honourable Sir Edward Benthall: In accordance with the Provincial Government's orders.

Sir Mohammad Yamin Khan: This is the co-ordination between the Central Government and the Provincial Governments that the General Manager of a railway and the Provincial Transport Commissioner agree to charge so much from the public and put it into the pocket of Mr. DeMello. This is the way how you are going to treat the public. The poor man who can now come to Delhi from Meerut, a distance of 40 miles, for eleven annas, you propose to charge him Rs. 1-5-0. I am just giving you one illustration.

The Honourable Sir Edward Benthall: Does the Honourable Member then think that these bus fares are too high?

Sir Mohammad Yamin Khan: I think so. These fares are put in the interest of railways and not in the interests of the general public. I say that it is because they think that these buses serve the public in a much cheaper manner they should therefore be wiped off from the line. That is why this anxiety. . . .

The Honourable Sir Edward Benthall: The Honourable Member wishes bus fares to be lowered rather than railway fares to be put up: is that right?

Sir Mohammad Yamin Khan: No; I do not want that. I say that the railways are charging only 11 annas now and they want the buses to charge 1-5-0, that is, double the amount; and so it is not in the interests of the public, as my friend Mr. Stokes says; because he may be able to pay since he travels first class and pays something like six annas a mile; and this is intended for upper classes—9 pies per passenger mile. Therefore he gains, while the poor man loses. Therefore he wants to benefit at the expense of the poor man and he says it is all right. But the public as a whole, the class of people who go by the bus are the losers, and therefore it is not right to say that the public is anxious to have this kind of bus service replaced. It may be so in a few exceptional cases, but I do not see where the public comes in; and if the public is represented by the views of the elected members of this House, he will know where the public stands. I have listened to the appeal so pathetically made by my friend Mr. Turner, that this may be reduced to Rs. 2 crores, instead of the total amount being rejected. I am afraid that no elected member of this House will fall into this trap and allow you even a pie, so that you might say that your scheme has been accepted and then crush these people. No. This House will reject in *in toto* and put it down that the scheme as it has been worked has been ruthlessly carried out and therefore not a single pie will be left with the Government for this purpose in order to carry out this scheme in this manner and in this spirit for the next year.

Just one minute more, Sir. Sardar Sant Singh asked last year "Will the Government work it in this spirit?" and the Honourable Member said he will work in that same spirit. If this had been worked in that spirit of give and take and toleration and no threat and no misuse of power, then of course that would have been totally different. Now, I endorse my signature on the report which I have put, that there has been no consultation, as far as my knowledge goes; and I do not know if any other member had any other knowledge beyond what he has listened to here; but I have got personal knowledge and I say that at least in my province there is no question of operators being consulted or

their consent being taken: they have been treated very badly and threatened and a ready-made scheme has been thrust on them. Therefore I appeal to the House to support this cut and show to the Government that they are not willing to support such high-handed action—they make a promise and carry it out in a different manner. I support the motion.

Mr. P. B. Gole (Berar: Non-Muhammadan): Mr. President, I rise to support the motion so ably moved by my honourable friend from the Muslim League Party

Mr. President: Will the Honourable Member speak a little more loudly?

Mr. P. B. Gole : I was one of the members of the *ad hoc* committee and we had to examine whether the white paper represented correctly the agreement that was reached on the floor of this House; and we examined the white paper in the light of the speeches made last year when the supplementary demand for 82 lakhs was voted; and we thought that clearly speaking the first part of it fairly represents the agreement that was reached on the floor of this House. But when we began to examine the details and the working of the scheme in different provinces, we found that precept and action were different. In fact I would like to quote the Honourable Leader of the House when he stated last year that actions speak louder than words. "I hope when this House meets again they will not find that our actions fall short of our professions." Now unfortunately I have to remark that these actions speak louder than the words of the Honourable Member last year; and the actions are just the opposite of what was agreed to and what was written in the first part of the white paper. I may draw your attention to paras. 9 and 13 of the first part of the white paper. There it clearly suggests that in every province the scheme that was to be adopted was to be brought about by negotiation with the present operators. It was intended that these operators

The Honourable Sir Edward Benthall: I would ask whether the action does not speak louder than the words: the action complained of is not by the Central Government. The action of the Central Government is the white paper—the policy laid down there.

Mr. P. B. Gole: I am sorry to say that the action if it is by the Provincial Governments has been endorsed by the Central Government. In fact, the Central Government has been contributing money for supporting the action of the Provincial Governments, and therefore this is the action. In fact, I am really surprised that the Honourable War Transport Member just now says that the action is the first part of the white paper. But the bringing into effect of this white paper is really the action; and although it may have been brought about by the Provincial Governments, the Central Government is a party to it, and the Central Government has adopted it, in fact invested money in those concerns. Therefore these are the actions, and I am very sorry to say that they are exactly the opposite to what was agreed to on the floor of this House. Really speaking, none of the members of the *ad hoc* committee was willing to disallow this money which was voted, because the scheme had been agreed to somehow or other rightly or wrongly on the floor of the House; but ultimately it came to our notice that as a matter of fact the Provincial Governments with the connivance or consent of the Central Government are proceeding with schemes which are just opposite to what was agreed to on the floor of the House, and therefore as I said I would only point out for the sake of instances, two cases where this has not been followed in any of the provinces.

First, I refer to para. 9 in the first part of the white paper, in which the present operators on the roads were to be consulted as to who amongst them should be the promoter; and with their consent the promoter was to be appointed; and that promoter really speaking with their consent was to float the company in which the railway authorities as well as the Provincial Governments were to have a share. Now, take the case of Bombay, where the promoters were not chosen by the operators. In fact the provincial transport authority went round from place to place and brought about—he did not call a meeting, he did not even consult those operators together, but he

[Mr. P. B. Gole]

took some operators of his choice and appointed them promoters. In fact, even the ordinary procedure that ought to be followed in such cases was not followed in Bombay. The Bombay Government on the 14th June 1945 issued in the Gazette a scheme for the rail-road co-ordination. The usual method is that whenever a proposal is made or published in the Gazette, the Government generally calls for objections from the public as well as from those persons who would be affected by that scheme. In this case, when this was published on the 14th June, no objections were called for. In fact that was the final scheme that was placed before the public and the operators. Somehow or other I find that in this rail-road co-ordination the public is nowhere mentioned; it is for the benefit of the public that the scheme is adopted and the ultimate object is that the travelling public should be benefitted but the travelling public has nowhere been consulted. In no province has the public been consulted or called upon to express its opinion.

Here the position as we find it is this. The scheme was published on the 14th June and afterwards the Motor Transport Authority proceeded to give notices and in fact for the benefit of the provinces a new Ordinance was adopted in September 1945. I am really surprised at the way in which the Ordinance has been promulgated. I do not know at whose suggestion this Ordinance was promulgated. Probably Section 44(2) of the Motor Vehicles Act was not before the Government at the time when this was promulgated. Otherwise I suppose care would have been taken in promulgating this Ordinance to safeguard against the great difficulty which has now arisen. I will take the case of Bombay, although I come from C. P. About the C. P. the less said the better. If that is a foretaste of what is to come, then the sooner the whole thing is scrapped the better it will be.

Now, I would bring to your notice section 44 (2). This section says:

"A Provincial Transport Authority or a Regional Transport Authority shall consist of such number of officials and non-officials as the Provincial Government may think fit to appoint but no person who has a financial interest whether as proprietor, employee or otherwise in any transport undertaking shall be appointed as or continue as a member of a Provincial or Regional Transport Authority."

Somehow or other these Provincial Governments have taken financial interest in these new companies which have been floated and the Provincial Transport Authority is issuing permits. Now, this authority is really a representative of the Government and if they have a financial interest how can they really speaking issue these permits at all. In fact, the Provincial Transport Authority comes to an end immediately it takes financial interest in these companies. This is the law and this is in the statute book and so long as these provisions exist in the law, the Provincial Transport Authority is expressly forbidden to take financial interest in these undertakings.

Then there is another difficulty in the way of the Government. I am referring to the Ordinance issued by the Government on the 14th July 1944. There, section 6 of the Motor Vehicles Act was sought to be amended and it is said that the Provincial Government may by notification in official Gazette authorise, subject to such conditions as it may deem fit to impose, any person to perform such functions of the Provincial Government. Thus, the Regional Transport or Provincial Transport Authority is clothed with power of the Provincial Government. Take the case of the O.P. There the Provincial Government enters into a contract and into financial arrangements and invests money. All actions of this Provincial Transport Authority subsequent to the taking of financial interest in these companies becomes *ultra vires* and illegal. What do we find in the Bombay Presidency? I do not want to name any person but Mr. Kotawala who is the Provincial Transport Authority in the Bombay Presidency has got personal financial interest. Once financial interest comes in, the Provincial Transport Authority ceases automatically to be the Provincial Transport Authority. Therefore all its actions in cancelling permits or issuing new permits become *ultra vires* and illegal. Probably this escaped the notice of Government while issuing the Ordinance.

The Honourable Sir Edward Benthall: As personalities have been brought in, I must say that the whole of that officer's position has been fully disclosed and is fully known to the Provincial Government and there is nothing irregular in it whatsoever.

Mr. P. B. Gole: That does not make it legal. The position is that we are governed by the Motor Vehicles Act and section 44 (2) clearly lays down the position. Therefore the whole scheme of the financial interest of the Provincial Governments with the Central Government helping them is illegal from start to finish. We were anxious at that time that the new Ordinance that was enacted should be withdrawn and we have also stated that the permits that were cancelled under the authority of these Ordinances should be renewed. The reason is obvious. There is patent illegality in the whole procedure that has been followed. That is why we have stated in our report that the Ordinance should be withdrawn.

There is another aspect to this question and it is this. Roads are provincial subjects. No doubt in these roads the common taxpayer has invested his money. It is called the King's highway and every person has a right to the use of this highway unless he comes in the way of another.

Mr. President: Order, order. I would request Honourable Members to carry on their consultations in a low tone or, better still, in the lobby.

Mr. P. B. Gole: I was pointing out the rights of the common man so far as roads are concerned. That being so, every operator, great or small has a right to ply his vehicle on the road along with the big companies which have virtual monopolies, as Mr. Masani pointed out. These big companies are going to drive out the small bus operators. I ask why should not these small operators be allowed to ply their trade. They have as much right to the use of the road as the bigger companies. The Railways have got a monopoly because the rails are the exclusive property of the railways but the roads are public property in which every member of the public is interested and has got a vested interest. You cannot deprive him of that right by making rules under the Motor Vehicles Act. When this rail-road co-ordination scheme was started, I was wondering whether the Government ever took into consideration the common rights of the people in regard to the use of highways and from that point of view the question is whether this rail-road co-ordination should be started at all. We should not come in the way of the common rights of every member of the public and from this point of view also, this rail-road co-ordination scheme does require consideration. We as members of the Committee wanted to see whether any progress has been made on the lines of what was agreed to on the floor of the House last year. And from this point of view we examined this rail-road scheme. Although the points were correctly stated in the first part of the White Paper, the actual action speaks just the contrary and we find an almost autocratic way in which not the common operator on the road is being benefitted but it is the capitalists who are being benefitted. Take the case of the C.P. Both these companies which were floated they were not operators on the roads. They were, as observed by my Honourable friend, the agents for selling motor accessories. They were not on the road. They were taken hold of by the C.P. Government and they were made not only promoters but they were given the managing agencies.

Mr. President: Order, Order: The Honourable Member may remember his time-limit.

Mr. P. B. Gole: I do not want to take more time, Sir, but the subject is a vast one and I happen to be a member of the Committee. I assure you I won't take much time. I will now read paragraph 13 of the White Paper. It runs:

"Managing Agencies will not be employed hereafter. Cases where railways, or Provincial Governments in conjunction with railways, have carried negotiations with any road transport interest to a stage where they stand committed to a Managing Agency, and where such promoters are unwilling to modify the arrangement, will be reported by Railway Administrations to the Railway Board before agreements are concluded."

[Mr. P. B. Gole]

What is the point in this case? Take the case of C.P. where two managing agencies were taken. Its managing agents were unwilling to relinquish their rights under the managing agency agreement. Originally, they were for 10 lakhs and afterwards they were raised to 50 lakhs and 30 lakhs. Why was further investment agreed to in the companies when they were not willing to give up the managing agencies? I may tell you that so far as one company is concerned, I happen to have read its balance-sheet and you will be surprised to learn that the dividend they proposed to give inclusive of income-tax was 2 per cent., 1 per cent. of which would go towards the income-tax and the other 1 per cent. will be given to the shareholders of the company. These are the companies which are going to give this benefit to the operators and also to the public. So far as the miseries of the public are concerned, the less said the better.

I do not think I shall be able to finish all this, but I would say, in conclusion, that in view of what has already been said by my other friends I support the motion of total rejection of this grant.

Before I close I may draw your attention to page 107 of the Demands for Grants. There I find that the budget estimate for 1946-47 is Rs. 3,47,98,000. Last year only 82 lakhs were voted, whereas the revised estimate for 1945-46 was 1,18,68,000. Whence did this money come and how was it spent, I myself do not know. Perhaps the Honourable the Railway Member would ask for a supplementary grant; but that is a different matter. I submit that in view of the fact that none of these agreements have been observed in action, the demand should be rejected.

The Honourable Sir Edward Benthall: Sir, my Honourable friend Mr. Masani quoted against me my statement that it required great patience spread over a number of years to achieve our objective. When I said that I foresaw a number of difficulties, but I did not quite foresee the *volte face* that we are meeting today, a *volte face* which after a year of heavy work in what I believe to be the interests of the country is, to say the least, extremely disappointing. I was impressed, as usual, by my Honourable friend Mr. Masani's speech. He has come rather late into this discussion. The views which he has put forward are well-recognised views and they express a certain point of view towards road-rail co-ordination, but they have all been discussed and fought over in the Experts Report, on the T.A.C. and the Post-war Policy Committee. And the policy which we adopted last year is one evolved after thinking out that and other points of view in their application to conditions in India. When the policy was agreed last year, it was based on an agreed speech, a speech which the Leaders of Parties saw before it was delivered. My Honourable friends the Leader of the Congress Party and the Deputy Leader of the Muslim League Party agreed to it. I can quote them. The Leader of the Congress Party said: "I support the motion and commend it for the acceptance of the House." My Honourable friend the Deputy Leader of the Muslim League Party similarly said: "I have no doubt in my mind that it will prove of great benefit in the matter of future road transport development in India." My Honourable friend Sir Mohammad Yamin Khan, who for some reason or other seems so excited about it today, not only spoke in favour of it last year but said: "I agree to most of the principles laid down and I give my general support to the proposal which has been made." He also walked into the lobby with me, for which I am grateful to him.

Sir Mohammad Yamin Khan: Read my whole speech.

The Honourable Sir Edward Benthall: Anyway, that was the line he took last year and that was the line which the two Parties took officially. On the agreement of all the Parties except Dr. Banerjee's, we went ahead with the scheme and we incurred financial commitments. The 118 lakhs, which Mr. Gole was just referring to, was incurred in consistency with the sanction given by the House because I said on the 3rd April that if the scheme was approved, I shall proceed with it. The point which my Honourable friend Sir Mohammad

Yamin Khan made about referring certain matters to the Finance Committee applied only to the question of managing agency. I think he left that out of the context. In other words, he twisted my statement to suit his argument. That is not very convincing.

Sri M. Ananthasayanam Ayyangar: Is it not a rule that the whole of the expenditure over 20 lakhs should be referred to the Standing Finance Committee?

The Honourable Sir Edward Benthall: On a particular item.

Sri M. Ananthasayanam Ayyangar: Why was not this placed before the Standing Finance Committee?

The Honourable Sir Edward Benthall: Because there was no item in excess of 20 lakhs.

Now, Sir, that takes us to the beginning of this year. I should perhaps just also mention, in connection with the code of principles from which my Honourable friend Mr. Masani quoted, that I was wrong. The findings of the Transport Advisory Council are placed before the House. They are in the Library of the House and they are not confidential. I did refer to this code of principles in the speech last year and the Party Leaders accepted the general principle. That takes us over last year and brings us to this year. I maintain that in appointing the Committee at the beginning of this session to examine the progress made in carrying out the principles of the road-rail co-ordination scheme, the House at that moment accepted the principles of the scheme to which we agreed last year. Sir, I maintain also that the White Paper which I laid on the table on the very first day of the Session fairly covers the agreement reached in the Assembly on 12th April last respecting the principles of road-rail co-ordination.

I P.M. and I had hoped that when the Committee went through it, they would still agree to the principles of road-rail co-ordination. They certainly were good enough to certify here that so far as the Central Government was concerned, we had fairly tried to carry out the conditions which we had accepted a year ago. Sir, in my minority report, I recognised that there were in certain areas grounds for difference of opinion regarding the means of consultation and agreement with operators hitherto. I was quite prepared to discuss and my Honourable friend the Financial Commissioner said to the House and to the Committee of the House that we are prepared to discuss the application of these principles in cases where there was a doubt.

But my difficulty at the moment is to know precisely where we stand. A few days ago, when my Honourable friend Sri Ananthasayanam Ayyangar was speaking, and as he made some remarks on the subject of nationalisation of road transport, the question I put to him was "Is that your Party policy", because I had seen the policy of the Party in the Press and I understood that nationalisation might be the Party policy. He confirmed that it was. But today, my Honourable friend Mr. Masani was saying quite a different thing.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): You create a monopoly for a few *plus* railways.

The Honourable Sir Edward Benthall: My Honourable friend Mr. Masani is against that nationalisation. Where do we stand? Sir, I quite agree that it is perfectly legitimate for the Party to change its mind.

Prof. N. G. Ranga: A proper harmonisation between nationalisation, private interest and co-operatisation. That is what we want.

The Honourable Sir Edward Benthall: I say it is perfectly legitimate for any Party to change its mind and to review its policy from time to time, but at the present moment, it is quite clear that the Party opposite has not got a mind of its own.

Prof. N. G. Ranga: We have.

The Honourable Sir Edward Benthall: If so, then your Party Members do not know what it is, because they appear to speak with several different voices. I have no quarrel with the policy of nationalisation, and if any Provincial Government has decided on a policy of that sort, we are perfectly willing to co-operate. Each Province is at liberty to decide how it will proceed, whether

[Sir Edward Benthall]

on the rail-road co-ordination scheme, or on a co-ordination scheme of its own leaving out the railways, or whether it wishes provincial ownership or provincial nationalisation with the railways. That is a matter for the Provinces to decide. But whatever is decided, there is still need for co-ordination and the more provincial money that is invested in it, the more the need for co-ordination. If as is apparent, the policy of the Opposition Parties is, if I may say so, *Jai chaos* and it comes into force, then all the measures for co-ordination are lost. If you do not have co-ordination or if you have provincial finance in direct competition with central finance, the central finances are liable to be affected and there will be all the less money available for, for instance, the subvention of Provinces for the purpose of building roads. Surely the country will get a set back. Also, you will get back to the old conditions of competition when the railways and the buses were faced with severest competition with each other and the buses themselves in competition with buses. In pre-war days, it is known to the House that very often the life of a bus owner was only four years at the outset. The scheme which we put forward was agreed last year. It does not prejudice nationalisation itself, it is in fact a half-way house.

Shri D. P. Karmarkar (Bombay Southern Division: Non-Muhammadan Rural): May I know whether any definite scheme was put before the House for giving its approval or only general principles?

The Honourable Sir Edward Benthall: There was a scheme agreed to by Party leaders. You cannot have much more than that.

Sri M. Ananthasayanam Ayyangar: There was a dissentient voice even there.

The Honourable Sir Edward Benthall: If Provincial Governments wish to go in for nationalisation, as I understand is the policy of some Provincial Governments, including the Punjab and Madras, then it is much easier for the Governments to negotiate and so to expropriate organised companies than it is to expropriate individuals. They would not presumably expropriate without compensation. There is a *volte face* in the Parties opposite since last year, a position which I strongly suspect to be brought about by organised opposition and pressure by vested interests against the interests of the public. There was only one speaker, that I have heard Mr. Masani, considering the interests of the public, they should come first. I of course fully recognise the natural desire of my Honourable friends opposite that this scheme should be postponed pending the advent of provincial ministerial Governments, and as I indicated I was perfectly willing to agree that the scheme should be suspended in cases where there was any disagreement, in cases where there was not full general agreement between the operators and the Provincial Governments and the Central Government. I am prepared to accommodate myself fully as far as I could to meet the present political situation. Now, Sir, we are in the position where the committee apparently endorses the policy, approves the White Paper but refuses funds in entirety. It is cutting the grant by 100 per cent., there is nothing left whatever.

Sir Mohammad Yamin Khan: It does not approve the scheme.

The Honourable Sir Edward Benthall: It appears to be purely a Gilbertian situation, full of inconsistencies. We are being cut this sum in the main not for our own delinquencies, but for the delinquencies which are alleged to have occurred in the provinces and we are refused funds even where there is 100 per cent. agreement between the operators, the provincial governments and the railways. We are refused funds even in these cases, even though the policy has been agreed to formally in a speech agreed by the Leaders of Parties. I am sorry for the long suffering public which has come in for so little consideration in this matter. Irrespective of the programme on which everybody has been working rightly or wrongly,—there may be delinquencies in the matter,—several governments have been working on this for a year. We have 500 buses more or less ready, I think there are 180 in Bombay, which we have

committed ourselves to in pursuance of this policy and which I think is covered in the 118 lakhs to which my Honourable friend Mr. Gole referred.

Sir Mohammad Yamin Khan: Are they not coming in supplementary grants?

The Honourable Sir Edward Benthall: If this cut motion is carried there are no funds whatsoever and from what I heard opposite of the conflicting opinions there are not likely to be any policies put forward at least for some months after the provincial Governments have taken office. Therefore you reach a stage, just at the moment when transport ought to be developed all over the country, when you close down on it and throw the thing into chaos. My Honourable friend the Financial Commissioner put forward the suggestion that we should go ahead where there was more or less complete agreement and that we should create a forum for decision by placing the matter before the Standing Finance Committee or some other committee; and I was perfectly willing to accept conditions to be fulfilled before each case was put up. But, Sir, we now reach a position of deadlock. Government as a result of the debate last year went ahead; the agreement was positively unique. I can think of very few other things in India where there was agreement between the Congress, the Muslim League, the European Group and Government. All that is now to be cast aside. In pursuance of that agreement we incurred financial commitments both to the Provincial Governments and to the operators to the extent shown in the revised budget, of 118 lakhs, and many of these commitments are—I am advised—legally enforceable.

Sir Mohammad Yamin Khan: Are they coming as supplementary demands before the House?

The Honourable Sir Edward Benthall: No, Sir. They come within Grant No. 12 last year.

Sir Mohammad Yamin Khan: But that was not 118 lakhs.

The Honourable Sir Edward Benthall: The position is that there was a heading last year of 6 lakhs odd, and in pursuance of the policy agreed upon with the Leaders of parties I then said that we were going ahead and we would take the assent as authority to go ahead with the scheme. And going ahead involves investments to which you commit yourselves. We got agreement; my Honourable friend himself went into the box with me.

Sir Mohammad Yamin Khan: What I want to know is this. My Honourable friend has spent those 6 lakhs. What does he propose to spend up to the 31st March, and with respect to the further 118 lakhs is he coming up to the House with a supplementary demand?

The Honourable Sir Edward Benthall: That is not necessary.

Sir Mohammad Yamin Khan: Under what rule?

The Honourable Sir Edward Benthall: Under the ordinary financial rules. The Honourable Member has been a member of the Standing Finance Committee long enough to know what they are. This is a perfectly regular proceeding when the House has agreed to the policy, and agreed to it in the firm manner which I have described.

Sir Mohammad Yamin Khan: If that is the case, supplementary grants would not be required for anything.

The Honourable Sir Edward Benthall: They are necessary, but in this case at least no supplementary grants are necessary.

Mr. President: The Honourable Member may continue his speech after Lunch.

ELECTION OF MEMBERS TO DEFENCE CONSULTATIVE COMMITTEE

Mr. President: I have to inform the Assembly that up to 12 noon on Saturday, the 23rd February, 1946, the time fixed for receiving nominations for the Defence Consultative Committee, 13 nominations were received. Subsequently three members withdrew their candidature. As the number of remaining candidates is equal to the number of vacancies, I declare the following members to be duly elected to the Committee for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47:—(1) Shri Sarat Chandra Bose, (2) Mr. M. Asaf Ali, (3) Shri Satya Narayan Sinha, (4) Diwan Chaman Lall, (5)

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Dr. G. V. Deshmukh, (6) Nawabzada Liaquat Ali Khan, (7) Nawab Siddique Ali Khan, (8) Captain Syed Abid Hussain, (9) Colonel Kumar Shri Himmat-sinhji, and (10) Mr. Frank R. Anthony.

Nominated Official: Sir, I said this

Mr. P. Mason (Government of India: Nominated Official): Sir, I said this morning that we were very near an agreement on this subject and subsequently I have reached an agreement with all parties of the House, and in pursuance of that agreement I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two additional non-official members to serve on the Defence Consultative Committee constituted for the unexpired portion of the financial year 1945-46 and for the financial years 1946-47."

Mr. President: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two additional non-official members to serve on the Defence Consultative Committee constituted for the unexpired portion of the financial year 1945-46 and for the financial year 1946-47."

The motion was adopted.

Mr. President: I have to inform Honourable Members that for the purpose of election of two additional members to the Defence Consultative Committee, the Notice Office will be open to receive nominations upto 1 P.M. on Wednesday, the 27th February and the election, if necessary, will be held at 2-30 P.M. on the same day, *vis.*, the 27th February in the Chamber.

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. President** (The Honourable **Mr. G. V. Mavalankar**) in the Chair.

RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

DEMAND No. 12—OPEN LINE WORKS—*contd.*

Refusal of Supplies for investment in Road Services—contd.

The Honourable Sir Edward Benthall: Sir, before rounding off, I should just like to deal with one or two points which were raised by Honourable friends in connection with the conduct of one or two Provincial Governments. I said in my note of dissent that I was satisfied that a genuine attempt was made to carry out the terms, and one or two Honourable Members questioned what was done in the Bombay Presidency. I have no doubt whatsoever that in so far as that Presidency was concerned, the Government made an extremely genuine attempt to carry out the terms of the White Paper and to give the operators a fair deal. Out of some 5,600—I am not quite sure of the figure—operators, holders of permits concerned, something like 4,900 actually signified their approval of one promoter or another, that is to say voted for the election of a promoter or managing director, and if that, Sir, is not an evidence of full consultation I do not know what is, because the scheme was fully explained at the meetings. I consider, therefore, that there is really nothing that can be said about that Government, who did not use the Ordinance in any way for any of these purposes.

Then, Sir, I must revert to what I consider the most improper suggestions made about the interest of the Provincial Motor Transport Controller. It is suggested that he holds shares in the new companies. It is not only untrue, but it is impossible because I understand that no company has yet issued shares, and therefore he cannot be a shareholder as is alleged. As regards his private investments, those are disclosed to the Provincial Government who know the position fully and the Provincial Government are perfectly satisfied with his *bona-fides*, and, Sir, I suggest that it is a very weak case when members of the Opposition have to resort to denigrating personalities in order to support criticism of a policy of this importance.

As regards the Central Provinces' policy, there always was a difficulty because, as the House will remember, we entered into negotiations with the Central Provinces Government long before this question was thrashed out and an agreed policy settled on the floor of this House. I think it was November 1944 that the policy of Railway-Provincial Government-operator-public co-operation was settled and we were committed to the policy of going ahead before the agreed

speech of 3rd April, 1944. I said then that I would attempt to review the managing agency position in respect of these two companies, and I went down and made a *bona fide* attempt to modify the agreement. The Provincial Government felt that negotiations had taken long and they had so far committed themselves that they were in duty bound to continue the arrangement to which they had given their approval. The matter was referred back once more to the Standing Finance Committee, as my Honourable friend opposite said. They gave approval subject to certain terms being fulfilled which were again put back to the Provincial Government who expressed some surprise that they should come back once more and regretted that they could not go back on their word. All we were able to achieve was the other object; we failed to achieve the objective of removing the managing agency, but we were able to get in something more in the nature of a square deal for the operators, because the capital was increased in order to make room for them to come in, arrangements were made so that they could take up their full proportion of the capital, and that increase of the capital automatically increased the railway liability to take up our percentage. It was done not for any other object but to get the operators a fair share of the capital which we fully agree was insufficient prior to that.

Finally, somebody mentioned the Ordinance. I have repeated on the floor of the House before that the Ordinance was not an increase of powers for the purpose of putting through this scheme. Quite the reverse. It was represented to us at the time that the powers under the old Ordinance of 1944 were excessive and were being used improperly or likely to be used improperly by some provinces for the purpose of coercing operators and for that purpose we introduced the new Ordinance XXXI of 1945 which lessened the powers—it did not increase them, it lessened them—with the object of trying to ensure that so far as we were concerned undue pressure would not be brought on the operators. The Central Government in the Railway Department certainly cannot be blamed. On the contrary they ought to be commended for bringing in lesser powers at the request of interested parties. That Ordinance was discussed and the Committee requested that we should amend it by doing away with the clause that offended them. That has been done and a new Ordinance went out at the end of last week. The Ordinance was not used for these purposes in such provinces as Bombay.

Shri Mohan Lal Saksena: It was used in the United Provinces.

The Honourable Sir Edward Benthall: That cannot be held against the Central Government. If you wish

Shri Mohan Lal Saksena: As an accomplice!

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): As an evil genius.

The Honourable Sir Edward Benthall: What is the position to-day? The Railway Department have entered into commitments which as shown in the budget statement amount to Rs. 118 lakhs. We entered on that on the authority given by this House in agreeing to the policy in regard to which some of my Honourable friends walked into the lobby with us.

Shri Mohan Lal Saksena: That is the price!

The Honourable Sir Edward Benthall: According to the ordinary budget practice, reappropriation within that grant is perfectly regular if the policy is agreed to, and I think there is no doubt that the financial authorities will find that is being done.

My Honourable friend, Sir Yamin Khan, suggests that it is irregular because each item was not put before the Standing Finance Committee. Ever since these negotiations began, I have been suggesting that the Standing Finance Committee or some other Committee should go into these items and twice already this morning that suggestion has been made. Apparently it does not commend itself to the House who prefer to adopt the cut motion which will have the effect of insuring that there will be no grant whatsoever for 1946-47. Obviously therefore no new commitments can be entered into and so far as rail-road co-ordination is concerned, we come to a dead stop. There will be no funds for a new

[Sir Edward Benthall]

Government when it comes in and to spend any money for this purpose will be very irregular. The financial course that will be necessary will be to introduce a new budget and ask for a new grant. That is the effect of this motion and there is very little more to be said. So far as we are concerned, all we have to do on this side is to review the position of the commitments made and see what can be done about them. If there are serious difficulties then we will place them before the appropriate committee.

As regards future policy as to what will happen in the formation of road companies, that is outside our sphere. It will be for the Provincial Governments to decide what they want to do—whether they wish to proceed with their arrangements leaving out the railways or whether they wish to nationalise, which in the circumstances may very well be the best course for the purpose of organizing road transport. My Honourable friend, Nawabzada Liaquat Ali Khan, said last year, “It is not only a question of making profits but of providing conveniences for the people of the country”. This is a fact which appears to have been considerably overlooked this morning.

Going on he said: “Until such time as we accept, or the House accept, a policy of nationalising road transport as in the case of railways, the next best thing that can be done is to work this in co-operation with the railways, the Provincial Governments, the present operators and the general public.”

He went on to say that he has no doubt in his mind that this arrangement would “prove of great benefit in the matter of future development of road-transport in India.”

Well, Sir, that is gone. A year's solid progress in co-ordinating road transport is apparently now to be thrown away and I suggest, Sir, that it is a bad day for the development of co-ordination of transport in India as a whole if my Honourable friends carry this motion against us as they can do.

Mr. President: The question is:

“That the demand under the head ‘Open Line Works’ be reduced by Rs. 3,47,98,000.”

The Assembly divided:

AYES—66.

Abdul Hamid Shah, Maulvi.
 Abdullah, Hafiz Mohammad.
 Abid Hussain, Choudhury Md.
 Ali Asghar Khan, Mr.
 Ayyangar, Sri M. Ananthasayanam.
 Banerjee, Sree Satyapriya.
 Bose, Shri Sarat Chandra.
 Chaman Lall, Diwan.
 Chettiar, Sri T. A. Ramalingam.
 Choudhury, Sreejutt Rohini Kumar.
 Daga, Seth Sheodass.
 Deshmukh, Dr. G. V.
 Ebrahim Haroon Jaffer, Mr., Ahmed.
 Gadgil, Sjt. N. V.
 Gangaraju, Sri V.
 Gauri Shankar Saran Singh, Mr.
 Ghaznafarulla, Khan Bahadur Hafiz M.
 Gole, Mr. P. B.
 Gounder, Sri V. C. Vellingiri.
 Govind Das, Seth.
 Hans Raj, Raizada.
 Hiray, Sjt. B. S.
 Ismail Khan, Hajee Chowdhury Mohammad.
 Jagannathdas, Sri.
 Jeelani, Khan Bahadur Makhdum Al-Haj Syed
 Sher Shah.
 Jhunjunwala, Mr. B. P.
 Jinachandran, Sri M. K.
 Karmarkar, Shri D. P.
 Khan, Mr. Debendra Lal.
 Killedar, Mr. Mohammad M.
 Lahiri Choudhury, Srijut Dharendra Kanta.
 Mahapatra, Sri Bhagirathi.
 Mangal Singh, Sardar.

Masani, Mr. M. R.
 Menon, Sri A. Karunakara.
 Mukhopadhyay, Mr. Nagendranath.
 Mukut Bihari Lal Bhargava, Pandit.
 Nairang, Syed Ghulam Bhik.
 Narayanamurthi, Sri N.
 Nauman, Mr. Muhammad.
 Paliwal, Pandit Sri Krishna Dutt.
 Rahmat-ullah, Mr. Muhammad.
 Ram Narayan Singh, Babu.
 Ramaynn Prasad, Mr.
 Ranga, Prof. N. G.
 Reddiar, Sri R. Venkatasubba.
 Saksena, Shri Mohan Lal.
 Salve, Mr. P. K.
 Sampuran Singh, Sardar.
 Sanyal, Mr. Sasanka Sekhar.
 Satakopachari, Sri T. V.
 Sharma, Mr. Krishna Chandra.
 Sharma, Pandit Balkrishna.
 Siddique Ali Khan, Nawab.
 Siddiqi, Mr. Abdur Rahman.
 Sinha, Shri Satya Narayan.
 Sri Prakasa, Shri.
 Suhrawardy, Sir Hassan.
 Sukhdev Udhowdas, Mr.
 Tamizuddin Khan, Mr.
 Thakur Das Bhargava, Pandit.
 Vadilal Lallubhai, Mr.
 Varma, Mr. B. B.
 Vinchoorkar, Sardar N. G.
 Yamin Khan, Sir Mohammad.
 Yusuf Abdoola Haroon, Seth.

NOES—36.

Ahmad Ali Khan Alvi, Raja Sir Saiyid.	Khan, Khan Bahadur Z. H.
Ambedkar, The Honourable Dr. B. R.	Lawson, Mr. C. P.
Azizul Huque, The Honourable Dr. Sir M	Mason, Mr. P.
Banerjee, Mr. R. N.	Morris, Mr. R. C.
Benthall, The Honourable Sir Edward.	Naqvi, Mr. A. T.
Bewoor, Sir Gurunath.	Oulsnam, Mr. S. H. Y.
Bhattacharyya, Rai Bahadur Devendra Mohan.	Raja Bahadur of Khallikote.
Chapman-Mortimer, Mr. T.	Roy, The Honourable Sir Asoka.
Chatterjee, Lt.-Col. Dr. J. C.	Rowlands, The Honourable Sir Archibald.
Cook, Mr. B. C. A.	Sargent, Dr. John.
Fenton, Mr. R. V.	Sharbat Khan, Khan Bahadur.
Gwilt, Mr. Leslie.	Siva Raj, Rao Bahadur N.
Harendra Singh, Sardar Bahadur Captain Sardar.	Spence, Sir George.
Himmatsinhji, Col. Kumar Shri.	Sri Chand, Chaudhri.
Hirtzel, Mr. M. A. F.	Stokes, Mr. H. G.
Hydari, The Honourable Sir Akbar.	Thorne, The Honourable Sir John.
Jehangir, Sir Cowasjee.	Turner, Mr. A. C.
	Waugh, The Honourable Mr. A. A.
	Weightman, Mr. H.

The motion was adopted.

Policy of Government re Cash and Pay Departments on contractual basis on B., B. and C. I. and N. W. Railways

Mr. Muhammad Nauman: Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Re. 1."

My purpose is simple. We condemn the practice of contracts in all spheres and more particularly on the railways. I am referring to the contractual basis of the Cash and Payment Department on the B., B. & C. I. and N. W. Railways. This is because the Contractors have blocked all improvements and the administrations have a free hand in indulging in all sorts of likes and dislikes in making their choice of the individual who is to be appointed for the purpose. I need not stress here any particular individual's conduct but I must express my regret that this practice has been still maintained, although in all other railways we have not got anything like this, and the management is made directly by the department. This is a very peculiar system on the N. W. R. and B., B. & C. I., which only means that the finances of the administration are under the manage-

ment of a financial bania or something like that. My purpose is very simple in condemning this system as it is so peculiar under the circumstances; and we do not know whether this has been the arrangement in any other part of the world on any railways—even those which are managed by the different companies in the U. K. and other parts of the world. Much less the State ownership should have allowed this thing to go on in the manner in which it exists. I am told that the appointments in Cash and Pay Department are a great event in those administrations where all sorts of influences are used to bear upon the choice, and it is so natural. Human factors cannot be eliminated when these are matters of contract resting on the individual choice of the administrative heads; and I think if at all we agree to place certain facts which would condemn the choice, the Honourable Member would come and say that this is within the discretion of the general manager and the Railway Board and the Honourable Member has no business to interfere. That has been the kind of reply which we had been hearing from the Honourable Member, not this year but even in the years gone by. What does it mean? It means that the administrations are not capable of managing them directly; either they are not used to it or they think they are not capable of doing it departmentally or they think they are not in a position to procure such men who would administer this particular branch in the best possible manner. I do not know the terms of the agreement, and I am told that it is one per cent. on the transaction. You will notice what the average income is. On the Bombay, Baroda and Central India Railway the earning is about Rs. 20 crores and odds. On the N. W. R. it is Rs. 35 crores odd, which means again that the total amount involved is Rs. 35,10,94,000. These are huge figures and even working on the 1 per cent.

[Mr. Muhammad Nauman]

basis it would amount to crores of rupees. These are the figures I have got, but the Honourable Member can get the exact figures. This is the position which I want to impress as most condemnable from our point of view, and we do not think it should be continued any more. The administration should take up directly the management of this particular department as all the other railways are doing this departmentally B., B. & C. I. and N. W. Railways should also do. The Honourable Member should terminate this system here and now, because the Honourable Member has tried to convince us that he has always tried to take this House into confidence and I am proposing this on behalf of my Party and I hope all other colleagues in the House do also agree with the suggestion that I am giving, that this system now obtaining on the B., B. & C. I. and N. W. Railways should be terminated forthwith and the work should be done directly by the administration themselves. With these words, I move.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Re. 1."

Sir Mohamamd Yamin Khan: Sir, I support this cut and I think it ought to be the policy of Government that all Government money received as revenue should be put in the Government treasury and every servant of the Government should be paid through the treasury, and the collections and payments should not be made through private individuals. This had been the custom when the railways were managed by companies; when the companies had no treasury of their own they employed certain individuals to act as their treasurers; but now the circumstances have changed. Everywhere you have got your own treasury; all other railways are managing this department and I think this policy on the B., B. & C. I. and N. W. Railways is very wrong. We have tabled this cut motion in order to get a proper reply from the Government and I must make it clear that we have given only a cut of a rupee which means that our idea is to get a discussion and not to censure the Government for the past. It is only in order to bring it to the notice of the Government and to invite their attention to it. Our policy is not to defeat or censure the Government in this respect; but it is only to draw attention to it that they must adopt everywhere the same policy as prevails on the other railways; why this exception has been made in the case of these two railways, B., B. & C. I. and N. W. Railways is not understandable. Of course I can understand in the case of the B., B. & C. I. Railway because it has come only recently under the management of Government and probably escaped the attention of the Railway Department to bring it into line with other lines; but about the N. W. R. I do not know why this has been allowed for such a long time; and if it has escaped the attention of Government, they must do it now without loss of time. That is the idea of bringing this cut motion so that the policy may be changed. With these words I support this cut motion; and we will be quite willing to withdraw it if we get a satisfactory reply that the Government is going to adopt the policy we have suggested and to which their attention has been drawn.

Mr. A. O. Turner: Sir, contractors have done the cash and pay work on the B., B. & C. I. and N. W. Railways for many years in a satisfactory manner. It is true that in the case of the remaining railways the work is carried out departmentally. Due to the abnormal and unsettled conditions created by the war, the Railway Board's policy in regard to these contracts has been and still is not to disturb the existing agreements. The Board is not quite satisfied that the present would be a suitable time to make this change . . .

An Honourable Member: Why?

Sir Mohammad Yamin Khan: When will be the suitable time?

Mr. A. O. Turner: I will deal with that a little later. To make a change in the near future would place yet another burden on the railway administrations concerned at a time when all their energies are being devoted to rehabilitation and development. A minor consideration is that though the number of staff

concerned is comparatively small difficulty would be experienced in recruiting at this juncture suitable experienced persons.

Sir Mohammad Yamin Khan: There will be plenty available when demobilisation is coming in.

Mr. A. O. Turner: Not immediately. Whether trained and suitable staff will become available is doubtful.

Both the Railway Administrations are firmly convinced that the contract system, which has given them satisfaction over a period of years, should be retained and there is scope for a genuine difference of opinion on the merits of the two systems, departmental *versus* contract.

Some of the advantages I may enumerate as follows. Under the contract system the Railway is absolved from the very considerable risk there is of loss when the work is carried out departmentally. The liability for loss is of course transferred to the contractors. Further in respect of petty shortages and losses, which in the aggregate come to a considerable sum, contractors are in a better position than the Railway Administration to take effective action. They make arrangements with their staff on a system of indemnities and this is a system which a Railway Administration could not adopt with its own servants. It would obviously be extremely difficult to deal with cases of petty shortages through departmental inquiries and action. Another advantage of the contractor system is that it provides for independent witnesses of payments and checking of receipts. One from the contractors' side is present and one from the Railway side. If the whole thing is departmentalised, naturally there would not be this double check. A further point is that the contractors are usually big bankers and are engaged in other such work and have a fairly big staff at their disposal, so that in the event of any short notice calls for staff by reason of people asking for leave, falling ill and so on, they can always fill those posts, whereas when the work is departmentalised it means having a leave reserve of considerable proportion. This makes it more expensive for Government to carry on the work.

However, I have merely enumerated here a few points to show that there are advantages in retaining the contract system. I do not say that they are of over-riding importance but there are two sides to this question. The Railway Board, I may say, have an open mind on the subject. It was considered during the war as to whether a change should be made and it was decided that it would be a very difficult matter when the war was on. Conditions have not changed very much since then but the Railway Board have recently called for certain information from the Railways concerned and when this information is received they will give the subject the most careful consideration and come to a decision whether to retain the present contract system or to adopt the departmental procedure which is in force on other Railways.

Sir Mohammad Yamin Khan: Will the Honourable Member be prepared to discuss this matter with the Standing Finance Committee for Railways when these reports come in and take their advice on the matter?

Mr. A. O. Turner: We are prepared to consider the subject in the Standing Finance Committee for Railways.

Mr. Muhammad Nauman: Then, I do not press my motion.

The cut motion was by leave of the Assembly withdrawn.

Reduction in Muslim Representation due to Retrenchment

Mr. Muhammad Nauman: I move:

"That the demand under the head 'Railway Board' be reduced by Re. 1."

I do not suppose I need discuss this at very great length because we have been coming before this House for many years to demand that the Muslim quota in the services were not having been made up. What we notice is that in spite of some efforts to implement the promises made by Government in 1938-39, our position according to the Railway Board's 1938-39 report available was that we

[Mr. Muhammad Nauman]

were holding 22·1 per cent. *in toto*, that is, overall percentage which included all services of all varieties. The report for 1945 shows that we have come to a figure of nearly 23 per cent. and this includes all the employees who have been employed during war time and those who are on the permanent category and also those who are in temporary category. Taking all this together it has not come to more than 23 per cent. The total number of employees as shown in this report on page 247 is 9,62,000; as against that, the Muslims are shown as 2,30,000, which works out to a percentage of nearly 23 per cent. In the course of five years, the overall percentage has gone up by only one per cent. It has gone up from 22 to 23 per cent. over-all. In this connection it has come to my notice that the Railway Board are probably giving figures which are not accurate as will appear from page 48 of the second report. In the N. W. R. they have shown gazetted officers 246 and 256 whereas in this report, Part I. page 250 they have shown 252 and 262. Then again on the East Indian Railway they have shown total 253 and 254 on page 250.

The Honourable Sir Edward Benthall: There is a footnote saying:

Represents revised figures for 1943-44 due to changes made by Railway Administrations in the figures published last year.

Mr. Muhammad Nauman: It has tallied in all the other railways except these two that I have quoted. The figures for all the other railways have not varied in any way except the East Indian and N. W. Railways and I am afraid the explanation given by the Honourable Member is not correct, this is the specimen of the jugglery in figures that are supplied to us. I quoted figures yesterday to show that in the gazetted ranks the position of the Muslims is 9·98 and then again as regards promotions you find on page 49 Muslims have been promoted 17·1 as against 67·1 Hindus and others getting their ratio in excess. In spite of the assurances given by Government every year, they have not been able to do anything for us so far.

Now, the great question which is facing the administration is the question of retrenchment. I want to impress upon the House that during the war time in the name of efficiency, urgency and all sorts of pretext the Muslim quota was not observed. In the matter of recruitment and promotions also you will notice that they have worked very adversely, otherwise you will not have seen that in the gazetted ranks their position is only 9·98 per cent. as in the subordinate lower gazetted grades Muslims are nearly eight per cent. after a long agitation of nearly 20 years. Why does it happen? In the matter of promotions, the Honourable Member and the Government have taken the stand that they cannot fix any quota, but we have been impressing upon them that their refusal to do so has been adversely affecting the Muslim nationals.

Now, in the Selection Boards what happens is this. Names are required to be sent by the heads of various departments. They do not send the names of a sufficient number of Muslims and even if they do send a few Muslim names, they send them with prejudicial confidential notes. The specimen of this confidential note I may give you from the Railway Board's Fundamental Rules in which it is said that the officer concerned must report about the personality of the man and his capacity for work. This, again, is a factor which cannot be measured except by whims and fancies of the officer giving the report. This confidential report guides the members of the Selection Boards in making their decision and choice. On the one hand, the number of Muslims who are sent is not in any reasonable proportion who appear before the Selection Boards and, on the other hand, along with their names is sent a confidential note which acts adversely against those who appear before the Selection Committee. That is the position which the Honourable Member should look into with great care.

Now, speaking on the motion of the retrenchment, I want to impress this that we are not opposed to retrenchment as such but what we do say is this—and I made this very clear to the Honourable Member when I discussed with him this subject for a few minutes in Calcutta and then I wrote him a long letter—that the

percentage of the Muslims should be made up here and now. Supposing a particular railway, say, the Bengal and Assam Railway, require for their normal working 60,000 men in the Pre-war years and during the war, being a strategic railway, the number of their staff has swelled up to 120,000. Now, they feel that they cannot maintain 120,000 men and they might be compelled to reduce that number by, say, 30,000, men with the result that they will have only 90,000 men for their normal works which they may have now in hand. I have no quarrel with them if they maintain only 90,000 men or even less provided they show that they are keeping 45 per cent. Muslims according to their quota on this Railway. The same applies to the other railways. If the quota of Muslims in any other Railway is 10, they should maintain it and we will have no quarrel with their retrenchment. In that case I have to impress that this retrenchment should work out separately in all the different categories. All the appointments of superannuated men which were made during the war should be treated as direct recruitment. Now, what I am told is that many direct recruitments are about to be treated as promotions by selection through the Selection Boards and manipulation are being made to do so. This, again, is a factor which will seriously affect the Muslim nationals and we would not allow that sort of manipulation at this stage. We only want to impress that all recruitments which were made by different Railways, either in the temporary or permanent categories, after 1942 should be treated as direct recruitment if such recruitments were made directly and percentage should be given to us in those recruitments according to quota and then an over-all percentage, according to the quota given to us, should be made up here and now. If the Muslims are in excess of their number in any particular administration, they may be retrenched and we will have no quarrel on that score. That is the policy which ought to be made clear by the Government immediately. We notice that during the war and in the name of efficiency and urgency even the recruitment quota of Muslims was not maintained. This the Honourable Member can find out from the different records of the Bengal and Assam Railway and other railways. Probably, the members of the Resettlement Board will be able to give him the exact figure and can also give the Railway Board a statement showing how it has affected the position of the Muslims. By this cut motion we only want to impress upon the House that the Muslim quota and the Muslim share should be made up here and now and I hope my Honourable friends of the Congress Benches and other Groups will have no quarrel with that. They will not by any chance wish that we should not have our proper share. It will strengthen the hands of the Honourable the Railway Member if we say that it is the wish of all sections and group of the Members of this House that no share of any community should be given away to others we mean no encroachment on the rights and privileges of other nationals, such as, the Hindus and others. The Hindus should certainly get their quota which is by far the largest than that of any other community because they are a majority community, and at the same time, Government should certainly feel that when they have made it a rule by the Resolution of 1934 that 25 per cent. posts should go to Muslims, the Muslims should get their proper quota made up at once. The Government must stick to it and see that the Muslim quota is made up here and now. I only want the assurance that when the question of retrenchment is being examined, it will be seen that the Muslim quota of 25 per cent. is made up before the retrenchment plan is thought of. With these words I move my cut motion.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Re. 1."

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban):
 Mr. President, Sir, I would not have intervened in this discussion but for the fact that this cry of the Muslims is not restricted to appointments under the Railway Board but almost everywhere the same sad story is being repeated. Representation to me does not mean a certain percentage in the Legislative Assemblies of the country. Representation, as I understand it, is my proper share in the administration and all its aspects that go to make what is known as the

[Mr. Abdur Rahman Siddiqi]

country and the State. Sir, I shall not take long today, but so far as retrenchment is concerned, I would like the Honourable the War Transport Member to remember that when retrenching he should retrench only up to the percentage given to the Muslims. After that when he does want to retrench, he should retrench in the proportion of 1 to 4 or 1 to 10 or whatever the proportions be. It does not mean that when the Muslim reaches his 25 per cent., the rest of his brotherhood will be removed. In the removals also the ratios laid down by the Government of India Resolution shall be followed. If one Muslim is removed, it should be after three non-Muslims are removed. I am surprised that when they talk of merit, it is my unfortunate position that I am labelled as belonging to the unintelligent people, because it has never come into my experience that my Muslim brothers have exceeded their quota on merit. We are not a nation of donkeys, we are not a nation that is inferior to any other nation in the world. If others can exceed their quotas, I do not see why, in even a remote and singular instance my number is not allowed to be exceeded. Let me also feel that I possess the same intelligence, the same capacity and the same administrative ability as others. Sir, you must have noticed that the reply given by the Honourable Member on the cut motion we discussed before this, created the impression on my mind that the Railway Board is not yet clear in its own mind regarding the many aspects of railway administration. If contractors are good enough for two railways—and if they possess all the long list of qualifications read out to us, why not adopt the same system for all the lines. On the other hand, if you feel that it was good in a majority of lines, why not remove these two. If you talk of not finding capable men, then take the staff of the contractors. That will solve your difficulty in two minutes. Similarly here, if a half-hearted and unconvincing reply is given, we are not prepared to be satisfied. We are Indians and we want our share on merit as well as on numbers. If you stick to merit, then let our number also exceed sometimes. Otherwise population figures, according to what they have laid down, should be taken into consideration. You will agree with me, Sir, that one of the main reasons of our difficulties in India today is, to quote an aphorism, a question of loaves and fishes. The poor man in the country needs service as much as the richer ones. If this question of percentages in services were settled once and for all satisfactorily for the Muslims and other sections of the Indian population, I am hopeful enough to believe that almost 80 per cent. of our political difficulties will disappear. I should like to place this demand on a higher level than of mere percentages. If the Honourable Member is prepared to listen to our reasonable request, then we will perhaps be able, to solve the great problem of India, where its warring sections are at each others' throats, not for any big thing but to get their proper share in the administration of the country. The figures generally given by Government include menials and chaprasis and others so far as Muslim figures are concerned. Otherwise, our percentage would not be high. This is not fair. Let them give us our percentages in all the various grades of services. Sir, having been connected with the Corporation of Calcutta, where we demanded 26 per cent. in its services, I was faced with the figures that astounded me. We had got nearly 24 to 25 per cent, but when these figures were analysed, almost 23 per cent. of them went into chaprasis, durwans, motor drivers and various other varieties of lower grades of services. When we came to the higher grades, there were many sections in the service of the Corporation where the Muslim did not exist at all. Similarly, may I beg the Honourable Member in charge kindly to ask any statistician he may possess—and if he does not possess any, let him get some from the contractors of whom he is so fond—they will find, grade by grade, the number of Muslims. Give us our numbers and I feel almost satisfied that my quarrel with Honourable Members to my right will be settled in no time.

Khan Bahadur Zafar Hosain Khan (Government of India: Nominated official):

Sir, the cut motion that we are actually discussing refers to the effect of retrenchment which reduces below 25 per cent. the accepted ratio. This evidently has

been mixed up with the question which is to come under the cut motion regarding the paucity of Muslims in railway services.

Mr. Muhammad Nauman: May I explain, for one minute, Sir? We say that if retrenchment is not done on the lines that we suggest it is natural that the percentage of Muslims will shrink to less than 25 per cent.

Khan Bahadur Zafar Hosain Khan: I shall briefly state what instructions have been given to railway administrations by the Railway Board.

Mr. Abdur Rahman Siddiqi: But have they been followed?

Mr. President: Let the Honourable Member proceed.

Khan Bahadur Zafar Hosain Khan: We expect they will be followed. Steps have been taken by the Railway Board to see that the retrenchment of staff does not affect adversely the communal ratio fixed for minority communities and they are these.

The policy of the Government is that temporary employees shall be so discharged that the composition of the temporary staff retained in service is in accordance with the communal ratio prescribed for recruitment or as near thereto as possible. The instructions issued by the Railway Board to railway administration are based on this principle. These lay down that the staff for discharge should be selected on the principle of length of service, but in doing so, steps must be taken that discharges do not adversely affect the minority communities on any railway. To ensure this proportion of numbers of these communities among those retained in service is to be according to prescribed quota.

Now, Sir, the selection of men for the purpose of confirmation and retention in services and for discharges is to be made by committees formed for this purpose. It has been laid down that these committees should consist of three officers of which two should be Members of minority communities and one of them should be a Muslim. Honourable Members, I hope, will agree that all the necessary safeguards have been provided in the instructions issued to administrations to ensure that minority communities are not adversely affected. Communal quotas are to be applied at all stages, that is in the matter of confirmation of 30 per cent. of category B men, in the matter of recruitment of war service candidates to 70 per cent. vacancies reserved for them, the discharge of men found surplus to requirements and in their ultimate absorption in railway services. Railways have been further instructed that if in filling 30 per cent. vacancies communal quotas cannot be achieved from the list of category B men, even by going lower down the list, the deficiency should be made good when recruiting war service candidates and if this also is not possible it should be made good from category C men, that is purely temporary staff and any deficiencies that still existed should be adjusted in future recruitment. Moreover, where this procedure results in a shortage of persons belonging to minority communities in a particular category or unit, the shortage should be made good in other categories or units.

These are, briefly, the instructions issued, and we expect that these instructions will be observed. In fact from the latest information that we have from railway administrations regarding the formation of these selection committees, we find that our instructions are being observed, although we have not yet received any definite figures. I hope that on this explanation the Honourable Member will withdraw the motion.

Mr. Muhammad Nauman: May I ask a question? Has it been made clear that in maintaining the number of staff the over-all percentage will be 25 per cent. including the temporary staff taken and those who are permanent?

Khan Bahadur Zafar Hosain Khan: Yes, Sir, except that if my Honourable friend means that the communal composition of staff is to be made up to the present quota of 25 per cent., this will necessarily mean encroachment on other communities' quotas; and that my Honourable friend said he did not wish.

Mr. Muhammad Nauman: My position is this. Supposing the B. & A. Railway want to maintain 90,000 people instead of their normal 80,000. We would

[Mr. Muhammad Nauman]
only want to know whether in that 90,000 you have got 41,000 Muslims or not. It does not encroach on the rights of other people, and we do not want more than that.

Khan Bahadur Zafar Hossain Khan: Those are the instructions. All those men who will be retained in service will be retained according to the communal quotas prescribed.

Mr. Abdur Rahman Siddiqi: Sir, in case a railway administration does not follow the instructions, has the Railway Board any machinery to supervise the action of these railways and see that instructions are carried out?

The Honourable Sir Edward Benthall: Yes; apart from anything else, my Honourable friend here is the machinery. But may I just put one point? I understand from the subsequent questions put by my two Honourable friends that they are satisfied with the statement made by the Government Member and will therefore withdraw the motion. If they are not satisfied I should like to ask another question.

Sir Mohammad Yamin Khan: Sir, I think this requires careful consideration and we have to examine the statement and its implications, which will take time. I submit, therefore, that if the motion is withdrawn it should not be taken as our consent to all that the Honourable Member has said and quoted against us. We will examine it carefully and, if necessary, make representations later on.

The Honourable Sir Edward Benthall: My difficulty is this. Two Honourable Members there said that this was a question of loaves and fishes and that if they could be satisfied on this point it would help to solve many difficulties. As everybody knows, the small Muslim percentage, below the percentage which they are now getting in recruitment, arises for historical reasons. For exactly the same reasons why there are more European officers at the top than my Honourable friends would like, there are fewer Muslims on the railways than one would like, because in the past before the communal percentage was introduced there was no provision made for Muslims. I understood, from what my Honourable friend said in moving this motion, that he felt that the percentage should be made up out of turn and he had good reason to believe that the Congress party would agree to that.

Mr. Muhammad Nauman: Yes, certainly.

The Honourable Sir Edward Benthall: In order that we may have the full views of the House before us, I should like to know what the Congress party has to say on this matter.

Prof. N. G. Ranga: We have no views about communalism.

Mr. President: I think with regard to discussion on policy, the better course would be not to carry it on on a cut motion like this. My reason for allowing a few questions and answers was to decide on the advisability or desirability of withdrawing the motion. My suggestion is—it is only a suggestion which parties may or may not accept—that in view of what has fallen from the Deputy President, and without committing the mover of the cut to accept the statement made by Government as final, the motion may be withdrawn for further consideration, unless the Leader of the House has any objection.

The Honourable Sir Edward Benthall: I have no objection; I would be glad to have it withdrawn. But it would help us to know the views of the other parties in this matter.

Mr. Muhammad Nauman: Sir, an assurance has been given that the over-all percentage will be maintained. Our anxiety, as I have explained, is that in these peculiar circumstances of retrenchment the Muslim quota should be maintained. As I have got an assurance on that point I beg leave of the House to withdraw my motion.

The motion was by leave of the Assembly withdrawn.

Extensions to Superannuated Staff

Sir Mohammad Yamin Khan: Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Re. 1."

My intention is to discuss the question of giving extensions to superannuated staff against the views of this House expressed in past years. Last year or the year before an extension was given to a prominent member of the Railway Board for which this House criticised the War Transport Member. The House then clearly laid down its view that no extensions should be given to superannuated staff because you thereby do an injustice to younger men. In the past we have found that these extensions have injuriously affected some very good officers. The Government policy of course has been that during war time they could not dispense with their experienced people, but now the war exigencies no longer exist and I do not know why some extensions have been given to superannuated people this year. I do not want to mention any names because it would be invidious to do so. Therefore I only criticize the policy of Government. Sir we demand an assurance from the Government that this will never be done again, and it should remain an accepted policy of the Government that no extensions in future should be given. The Muslim League Party is moving this motion in order to invite the opinion of all the other parties on this subject and to impress upon the Government that they should not give any more extensions to their superannuated officers. Sir, I move.

Mr. President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Re. 1."

Mr. Frank R. Anthony (Nominated Non-Official): Sir, I rise to support this motion. I have not very much to say on the matter except that I feel that all sections of the House who represent railway interests are united in asking the Honourable the War Transport Member to put an end to this principle of giving extensions of service to persons who have reached the age of superannuation. Speaking for railway personnel, I can assure the Honourable the War Transport Member that there is an unanimous demand in this matter. On previous occasions I have conveyed to the railway authorities the very deep resentment which has been caused particularly during the war by what was considered by railwaymen as unnecessary extensions of service granted to men who had reached the age of superannuation. In the past the Honourable the War Transport Member justified it. Perhaps he had some basis for justification on the ground that the war raised an emergency, that owing to the expansion required as the result of the strain imposed on the railways by the war, he required an expansion also of experienced staff and in order to have this requisite stiffening in the railway administration of experience, it was absolutely necessary for them to give these extensions to their experienced officers at the top. But that reason has completely disappeared today. I feel that the strain imposed on the railway administration on account of the war has already eased to some extent and it is going to ease progressively.

Another very cogent reason against perpetuating a principle which has caused not only resentment but also hardship is that you lost a number of experienced senior officers who volunteered for the railway military operating units. I believe I am right in saying that most, if not all, of these men have returned to the railways. As my Honourable friend, Sir Mohammad Yamin, has pointed out, it has operated very harshly against your senior men who have not reached the age of superannuation. They have lost very considerably; mainly men with 20 to 25 years of service who had the right to expect that they should reach certain appointments, because you gave extensions of service, did not reach those appointments. Not only have they lost in the matter of official position, they have lost in the matter of emoluments; not having reached the position which they had the right to expect to reach they did not get increased emoluments. More than that because they did not get the emoluments which they felt they were entitled to, they were not able to make their proportionate contributions to the provident fund. Only the other day I received a representation from

[Mr. Frank R. Anthony]
men on the N. W. R. complaining against what they considered as unjustified policy of gratuitous extensions to men when they felt that they were sufficiently senior and experienced staff to take over the administration at the top level.

Mr. Muhammad Nauman: Sir, I do not like to take up much time of the House. I will only say that this point of view was stressed in the House a few years ago, namely that people of superannuated age should not be allowed to continue in service any more.

[At this stage Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan)].

At that time, the administrative convenience was made a plea and it was suggested by all sections of the House that those people who had been re-employed after retirement should at least be asked to go immediately.

Sir, I know of many instances where people in the lower and subordinate staff of the Railways have already put in nearly 40 years of service, and they are still being allowed to continue. On the Oudh and Tirhut Railway, this is a permanent feature. If you go there you will find that more than 20 per cent. of their staff have got longer than 30 years service. I would request the Honourable the War Transport Member to pay his attention particularly to this Railway who are in the habit of maintaining staff after the age of 55. Nearly 20 per cent. of their staff in all grades is of superannuated age. We are not only condemning this habit of the Railway Board in so far as it concerns officers in higher posts, but also those who are occupying lower positions—in the grades of 50 or 80 or 100 rupees all over India. In a country like India, or for the matter of that anywhere, man has only a reasonable capacity to work at a certain age. That human factor cannot be forgotten. It may be that a certain individual in spite of having attained that age, may be considered fit medically or otherwise, but the rules cannot be changed to suit individual health or convenience. Therefore, I would impress upon the Railway Board to become more strict in this matter and to see that no one is allowed extension of service whether he is in a lower grade or whether he is occupying a higher position. With these few words I support the motion, and I hope the wishes of the House will be implemented by the Honourable the War Transport Member who was good enough to say that he will try to do what the House wishes him to do in as much as it is practicable.

Sgt. N. V. Gadgil: Sir, if further support is necessary, I say it is a good cause. Keeping superannuated people in service mars the future of younger people. It was bad before the war; it has become worse now. There is absolutely no justification in giving further extensions, and I do hope the Government will accept this suggestion.

The Honourable Sir Edward Benthall: I am in the happy position of saying that I am in agreement with what my Honourable friends say and that the policy is already in operation. I will just tell my Honourable friends what has actually happened and what the position is.

During the war, as everybody knows, there was a very great expansion of railway activity and in order to meet this we had to give extensions to a number of officers. It may be argued that we might have recruited numbers off young men to the work, but it must be remembered that it takes three to six years to train an officer before he is of any use at all, and even then of course he has not got the experience which is so valuable when it comes to a pinch. In the middle of 1944, there were 128 officers on extension of service—that was about the peak period I should think—but although the number seems large, I do not believe that the hardships effected were as great as people imagine because of the very large number of temporary posts which were created and which were filled by people who would otherwise have been promoted by the retirement of the superannuated. I think a certain number undoubtedly did suffer, but those were mainly the people at the top who were held back by the non-superannuation of General Managers and so on.

The Railway Department have always been conscious of the undesirability and the unpopularity of extensions although I may add, as regards the utility of such officers, that it is a remarkable fact that as soon as any of our superannuated officers left, they were snapped up in Europe and some of them are running the railway transport in Germany and others in Austria. It does not mean that their period of useful service is over. So long as they are fit, they are perfectly capable of doing their duties. We were however responsive to the views of the House and took action as soon as ever it was possible, owing to the exigencies of the war, to do so. Even before the end of hostilities against the Japanese, we had begun to reduce the numbers so that in the middle of 1945, that is a year after mid-1944 when we had 128 officers, we reduced the figure to 95 and to-day, February 1946, there are only 45 officers on extension and a number re-employed. Although we are following this policy, it does not mean that the work of the railways is any less and that we are not missing them. We are. There is a tremendous lot of work in connection with rehabilitation and new projects and for these new surveys alone we want 100 officers—100 posts temporarily. So we shall miss these officers and miss them very badly whenever they go. But the policy is to clamp down on extensions. In the autumn a decision was arrived at to stop extensions so as to ensure that there was no extension at all running after 31st December 1945.

Mr. Muhammad Nauman: Is this also with the subordinates?

The Honourable Sir Edward Benthall: As regards the subordinates, there are to be no extensions for non-gazetted staff and there will be no extensions to gazetted staff henceforward except in very exceptional cases. The only one I can think of is an officer given a couple of months extension in order to tide over the time until another officer comes back from leave. Even that will stop at the end of 1946.

Mr. Muhammad Nauman: What about special instructions to O. & T. Railway?

The Honourable Sir Edward Benthall: It applies to all railways.

Mr. Muhammad Nauman: They are bad enough!

The Honourable Sir Edward Benthall: They have received instructions and therefore I think the demands of the House in this respect are being met.

Do I understand that my Honourable friend will withdraw the cut motion?

Mr. Deputy President: Has the Member who moved this cut motion leave of the House to withdraw it?

The cut motion was by leave of the Assembly withdrawn.

Non-Observance of Muslim Quota in Railway Services

Mr. Muhammad Nauman: Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 1."

It will be more or less a repetition of the debate that we had on the question of retrenchment policy and I do not like to explain them at length once more. I would only just say that our experience of the last 40 years has been that in the matter of promotions, the Muslims have always been victimized and prejudiced by non-Muslim officers, and the number of Muslim officers have been so small that no safety of their interest could be guaranteed by the existence of the few who are there. I must explain how this happens. As the Honourable Members know that all these promotions are now arranged through Selection Committees which as a rule have got to have one member of the minority community in India. The wording is "whenever possible". Sometimes advantage is taken of these words "whenever possible" and the Muslim is not brought on the Selection Committee. At another time when he is brought, he is normally a very junior officer and is subordinate to those with whom he has to sit in the Selection Committee, with the result that he cannot have a free hand of offering an opinion upon the individual selection which is made. The next is the question of confidential reports what I have spoken

[Mr. Muhammad Nauman]
about earlier in the debate. What happens is that the number of Muslim staff sent for promotion before the Selection Committee is very small so far as the Muslim subordinates are concerned. The Honourable Member for War Transport will remember that only last year I sent him a few telegrams and agitated against certain selections made from the subordinate service in the Bengal and Assam Railway to lower Gazetted services. Out of seventeen selected, there was only one Muslim. This is an incident on a railway which is expected to have 45 per cent. Muslim quota. Whereas out of seventeen promoted from the subordinate service to the lower gazetted service, only one Muslim was taken; although I sent telegrams to the Honourable Member in the Railway Board in this connection and probably enquiries were made later on, but the list was never turned down and it was expected that in future probably that will be made up which has not happened so far. I have just shown you from the report that even this year in the 1945 report, the promotions which have been made from the subordinate to the lower gazetted service Muslims were given only 17 per cent. Unless some method is adopted and a guarantee is given that the Muslims will be given a fair deal, it is not possible that we should expect a change. You have noticed, Sir, that although the resolution of 1934 has been in existence, in the matter of recruitment we find that out of the total number the percentage of Muslims in the lower gazetted service and the superior service is no more than eight per cent. and 9.98 per cent., an improvement of four and five per cent. in ten years, and I do not know what time it will take before we can reach 25 per cent. quota. This is the most peculiar position which I wish to bring to your notice.

In the matter of collieries, you will find that Mr. Stenton, Manager of the Collieries in Giridih, has been given three extensions although he was condemned in 1938 for gross miscarriage of justice and who was utterly incompetent because a lot of deaths and accidents occurred during his time in 1938 and he was responsible for the loss of Government property in that year as well. There are Muslim officers and Hindu officers known to me but they are not being given a chance because this gentleman is being given extensions. You will be surprised to hear that out of the twelve managers of these collieries, none happens to be a Muslim; not that he does not happen to be a Muslim today, but there has not been a Muslim since the inception of the railways or the collieries which are being owned by the railways; whereas there has been an instance where one Mr. Diwan, a junior man has been promoted to be Manager of the Burma collieries owned by the State company. This position has to be very seriously considered and by moving these cuts we only want to impress that although the Muslim representatives in this House have been placing their cases from 1926 onwards and Government has given all sorts of guarantees and assurances to Muslims nothing appreciable has come so far and things have not improved in any manner anywhere.

Mr. Deputy President: Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 1."

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not like to give any information of my own but I would only read the figures supplied by the Railway Board in their Administration Report which has just been published. On page 49 we have got the figures of direct recruitment. 82 officers have been appointed and according to the resolution of the Home Department 25 per cent. ought to have been Muslims but we find only 14. Then a note is added saying that the shortage of Muslim recruitment was due to the requisite number of qualified Muslim candidates not being forthcoming for appointment in the Engineering and Stores Department. This is a point which I should like to explain. They say that qualified Muslim engineers are not forthcoming. I may point out that the case of the engineering services among the Muslims now is very much different from what it used to be some years ago. My friend and in fact the whole House would be surprised if I tell them that during the last four years the Aligarh University has turned out as many graduates in engineering as all the engineering colleges all over India during the last 65 years. I have got the figures from 1882 to 1945. The number of engineering graduates which were

produced by all the engineering colleges in India were about the same which we have produced in the last four years in the Aligarh University.

As regards their qualifications I may tell the House that in the open competitive examination held by the Government of India in the selections for foreign scholarships the Aligarh University Engineering College got the maximum number. As regards efficiency nobody can question them, because it has been decided in open competition in the selection for European scholarship. The difficulty has been that there have been no opportunities for admission in the engineering colleges. Therefore it is not that the Muslims are not capable of learning the profession of engineering but because people were not willing to admit them. It was pointed out repeatedly on the floor of the House ten years ago, before we opened our own engineering college, that Muslims cannot join the engineering profession because they were weak in mathematics. It is amusing that this argument was urged before me. When we advertised for our first admission in the Aligarh University I got 500 applications and every one of them was qualified for admission in engineering college. All of them had passed the intermediate in science with engineering group and hundred of them had taken the B.Sc. degree. We could only admit 50. On account of the war we had accelerated our courses and we have produced a very large number of engineering graduates, all of whom have got appointments and many of them have won scholarships. Therefore to say, as the writer of the Railway administration has bluffed, that Muslims are not available for the engineering service. I think you will find Muslims available for all the posts, provided the desire to appoint them is not wanting. They have not the same opportunities for getting appointments. This argument which they have advanced ought to be corrected and modified. If they had said that the appointing authority had no desire to appoint Muslims, then it would have been more correct.

The story is much worse when I read the report further. In the same page in the case of promotions, which my friend also raised sometime ago, I find in the lower gazetted service only one Muslim out of 25 which is only 4 per cent., instead of 25 per cent. You find also that in the case of the superior services, the case is equally bad. I know a great deal about these selections. Selection depends very much upon the people who select. It depends upon the manner in which the case is presented. Probably my friend will be amused if I tell him that once Lord Meston, the Governor of the U. P., asked the Vice Chancellor of the Allahabad University to recommend two persons for the post of Deputy Collector. The Vice Chancellor prepared a chart in which he put down the marks for various qualifications of each candidate and he showed that the first 8 were non-Muslims and the 9th place was given to a Muslim. I asked the Governor to give me all these applications so that I might scrutinise the marking. Instead of giving 10 marks for passing the high school examination, 10 for passing the intermediate examination and so many marks for other qualifications. I rearranged the marking by allotting marks for character, personal appearance, family services, with the result that the first three were Muslims. It all depends upon the selecting authority. They can adopt any manner of selection by means of which a desired candidate can always be put first. If you have any doubts give me the papers and I will rearrange the marks and put first the candidate whom I like. The fact is that the appointing authority had no desire to appoint Muslims.

I have said repeatedly on the floor of the House that in the case of selection sometimes they fix seniority and sometimes efficiency as criterion for selection. The criterion of seniority or efficiency is adopted to reject Muslim candidates. If a Muslim happened to be senior, then selection is made on the principle of efficiency and if the Muslim candidate is efficient, then selection is made on the criterion of seniority. It is for this reason that my friend Mr. Nauman and other members from this side always press "Please determine the percentage in the case of promotions also". Simply to say that we select the best men will not do. Fix the percentage for both Hindus and Muslims, the same percentage which you have fixed in the case of direct recruitment. Unless this is done the Mussalmans will not have a square deal.

[Dr. Sir Zia Uddin Ahmad]

Now I turn over the next page of the administration report, the story is still worse. On next page 1 we find the recruitment of both the superior and lower gazetted officers. The position of Muslims there is very poor, certainly it has not improved. We find on page 50 of this report that the percentage of Muslims in the superior and lower gazetted service is 9.98. This is very low and ought to be stepped up. I do not know whether my friend Khan Bahadur Zafar Hossain Khan is a member of the Railway Board or not—but I did not understand at the time he replied to my question about retrenchment and I wish he clears it now. Supposing there are 100 persons in service; and the percentage of Muslims at that particular time is not 25, but is 20 only, will he retrench Muslims still further so that their percentage may become lower still or will he refrain from retrenching Muslims till the percentage rises to 25? I want to have a reply as I did not exactly grasp his point. What did he mean?

Khan Bahadur Zafar Hossain Khan: No. I did not say that all Muslims will be retained in service because that will mean encroachment on the quota of other communities. Muslims will get their own quota in the number of employees that will be retained in service.

Dr. Sir Zia Uddin Ahmad: I do not grasp his point. Suppose the percentage of Muslims is 20 instead of 25, will you see that Muslims are not retrenched till their quota goes up to 25?

Khan Bahadur Zafar Hossain Khan: In the number of people who will be retained in service. Muslims will be retained to the extent of 25 per cent., which is their quota.

Dr. Sir Zia Uddin Ahmad: My Honourable friend talks of injustice to other communities. I do not know whether he has ever seen the figures that we have calculated, because the Muslims are not getting 25 per cent., the net loss to the Muslim community is now Rs. 7 crores every year. Has his attention been drawn to the fact that injustice is being done to the Muslims? He is talking about injustice to other communities. But here grave injustice is being done to the Muslims; and if he is not familiar with these figures, he can calculate himself. We are losing at the rate of 7 crores a year because justice is not being done to the Muslims. You are not prepared to do justice to the Muslims, and you are talking of injustice to the other communities.

The story does not end here. On the next page also you will find that in scales of salary rising to Rs. 200 the position of Muslims is equally bad—it is 8.76 per cent. It ought to have been 25. Just calculate what is the loss to the Muslims in not having 25 per cent. It is simple arithmetic which my Honourable friend can calculate for himself. Take the percentage of services every year and find out the deficiency and prepare the Budget of the loss to Muslims in the case of services alone—I do not talk of the losses in terms of contracts and various other things.

When we come to the other classes you will find that the position is approximately the same. On the next page, page 52, we find that the percentage is 9.98. No doubt it has slightly increased since 1934 but there is still a good deal to be made up. When you come to the other classes you find also that it is 8.76. If you turn over the pages you will find that the position of the Muslims is still worse. Now, I take this simple method of calculation: take the percentage of Muslims, it ought to have been 25 per cent; take the difference and multiply it by the number and salaries, and you will get the figures of loss to the Muslim community, which will work up to seven crores. I press that the Railway Board ought not do justice only to other communities but the other communities should also include the Muslims and they ought to do justice to the Muslims as well. We want really to be very fair to the other communities, but I think it is very desirable that we learn to live and let live. By this method alone there will be peace and there can be good understanding; but people desire that they should live and not allow the others to live, then

there will always be want of equilibrium, there will always be misunderstanding. If this principle of live and let live be adopted in general, then probably all the political trouble that we are now facing may disappear

Mr. Deputy President: The Honourable Member has got one minute more.

Dr. Sir Zia Uddin Ahmad: I have not developed even half of my arguments. I will probably have to leave them over for some other occasion.

Mr. Deputy President: If the House agrees, probably he may take some more time.

Dr. Sir Zia Uddin Ahmad: If therefore we draw up the balance sheet the loss which we are suffering on account of the injustice done to us, it seems desirable that some justice should be done now. We do not want any special favour; but we want only bare justice. We do not want repayment of previous losses that we have been suffering during the last ninety years. We repudiate all our debts and do not harp as we do in case of sterling balances. But at least in future I think justice should be done to us. Let the justice be done—give 25 per cent. all round. Do not retrench any Muslims till 25 per cent. is completed, and then you can go on retrenching as many as you like.

Mr. Abdur Rahman Siddiqi: Mr. Deputy President, what I said with regard to cut motion No. 11 applies *mutatis mutandis* to recruitment, promotion, superannuation and all the other aspects of railway administration in India. I would not have spoken on this resolution but the fear with which the Honourable the War Transport Member talked has induced me to find out from him whether he considers us, talking from these benches, as beggars or as people who demand their rightful share in the administration. It was the Government of India that decided the proportions. The Home Department published its Resolution, and now when we ask him to ask the Railway Board to behave properly and carry out the instructions contained in that Resolution he stands up and talks to us sweetly and with suavity and suggests as if what we are saying is really correct and that he would do us justice. But when he got up and demanded from the House whether Honourable Members belonging to the Congress Party agreed or did not agree with what we were talking, I felt as if he did not intend to carry out even the half-hearted promise which he and his assistant had made. We are demanding our representation in railway services according to that Resolution. Whether the Congress agrees with it, whether the Anglo-Indians and the other minorities agree with our demand or not is not the point. Are you prepared to issue instructions and even commands to the Railway Board to give to the Muslims what the Government of India has agreed to give them? Has the Congress said something which made him suggest

The Honourable Sir Edward Benthall: The Honourable Member was asking for something more than that. That is why we wanted the views of the other people.

Mr. Abdur Rahman Siddiqi: We have been talking of the Resolution of the Home Department. Asking for more was because the argument of merit is inflicted into our faces every time and that argument of merit never works in my favour. I do not want more: if I am given what is my due. I shall be satisfied. But to ask X to say 'yes', to ask Y to agree with him and so on and so forth does create a doubt in my mind whether the assurances being given and the requests being made for withdrawal of these cut motions is sincere or otherwise.

Whether these cut motions will have any effect is again a doubtful point but when he asked the Congress spokesman to agree to what we are demanding he was almost giving up the ghost. He was almost crushing the paper on which that Resolution is printed or typed and throwing it into waste paper basket. That was not doing us either justice or playing fair to us. If our demand is according to your policy, please say so. If we are wrong, please tell us where we are wrong. If you cannot find out of this nation of donkeys, as you have labelled it, enough people to fill your services, let them go.

[Mr. Abdur Rahman Siddiqi]

Find the men with the necessary qualifications. Our demand is based on justice and should not be played with.

Khan Bahadur Zafar Hosain Khan: The speeches delivered by my Honourable friends seem to imply that the Railway Board have been guilty of not implementing the instructions issued by the Government of India with regard to communal proportion to be observed in recruitment to the railway services. I shall now briefly explain the position in regard to the recruitment to the superior services.

As Honourable Members are aware, the recruitment to the superior services is made not by the Railway Board, not by any Railway administration but through the Federal Public Service Commission and by means of a competitive examination. In the last 11 years, Muslims had actually obtained a percentage of 23.9 as against 25 which is their quota. The reason for the deficiency is to be found not in any deliberate intention on the part of the Railway Board not to carry out the intentions of Government but in the fact that qualified Muslim candidates are not forthcoming. I will quote only one instance, relating to the year 1944-45, in which year the number of Muslims who qualified at the competitive examination for recruitment to the Engineering and Stores Departments was much less than the number of vacancies allotted to this community. This examination was held by the Federal Public Service Commission and not by the Railway Board. In the Stores Department, we wanted three Muslims. We got none. The deficiency in the vacancies was carried over to the next year.

Mr. Abdur Rahman Siddiqi: Not made up in other sections?

Khan Bahadur Zafar Hosain Khan: I am coming to that.

Mr. Muhammad Nauman: May I know whether in the Public Service Commission the Railway Board has a representative as an expert and did he insist on the communal quota being made up then and there.

Khan Bahadur Zafar Hosain Khan: A member of the department to which recruitment is made is always on the Commission to help the Federal Public Service Commission.

Mr. Muhammad Nauman: What is he for?

Khan Bahadur Zafar Hosain Khan: He is there to see that the men selected are qualified for railway service. In the Engineering Department we wanted six Muslims. We got only 3. The deficiency in this department was made up by recruiting two more men in the Traffic and Commercial Departments and one in the Indian Railway Accounts Service. By this means, we were able just to make up the deficiency in the Engineering Department. Muslims, however, have not done so badly on the whole because their proportion which was 4.67 in 1934 has more than doubled itself and was 9.98 in 1945.

Mr. Muhammad Nauman: In 11 years?

Khan Bahadur Zafar Hosain Khan: Yes. Great care is exercised in the observance of the communal quotas for various communities and if we are not able to fill any vacancy allotted to a minority community in any year it is carried forward to the following year. But if we cannot make up the deficiency in the next year also, the reservation lapses under the existing rules. No vacancy reserved for a Muslim has been filled by a member of any other community except only in those cases when qualified Muslim candidates could not be found.

Mr. Muhammad Nauman: Have they not lapsed on many occasions?

Khan Bahadur Zafar Hosain Khan: If in the second year, we are not able to find any qualified Muslim candidates, the vacancy lapses. As I have already said the charge for there being a deficiency in the Muslim recruitment to the superior services cannot really be laid at the door of Government, and this complaint could more appropriately be addressed to my Honourable friend to Dr. Sir Zia Uddin Ahmad (whom I do not see in the House at the moment)

who may be asked to see that Muslim young men with the required qualifications and in sufficient numbers come forward to compete in the various competitive examinations held by the Federal Public Service Commission.

With regard to the lower gazetted service, Government spokesmen have frequently stated in this House that this service is filled by promotion and it is the settled policy of Government that the rules regarding communal reservations will not apply to these promotions. The small number of Muslims in this service is due to the dearth of Muslims in the upper subordinate ranks on Railways.

Mr. Muhammad Nauman: May I ask one question? In the subordinate service you fill by promotion only 80 and 20 per cent. by direct recruitment.

Khan Bahadur Zafar Hosain Khan: Recently we have filled all our appointments to the lower gazetted service by promotion.

Mr. Muhammad Nauman: Was it not the practice to fill 20 per cent. through recruitment?

Khan Bahadur Zafar Hosain Khan: I am afraid I cannot answer that question straight away.

Mr. Muhammad Nauman: Will the Honourable Member look into?

Khan Bahadur Zafar Hosain Khan: Yes, Sir. The deficiency of Muslims in the lower gazetted service can only be corrected in course of time and now that Muslims with the requisite qualifications are joining the subordinate service in sufficient numbers there are indications that more Muslims will gradually become available for promotion to this service.

In this connection I would refer Honourable Members to the statements in Chapter VII, page 52 of Volume I of the Report by the Railway Board for 1944-45, from which my friend Mr. Nauman quoted, from which it will be observed that the proportion of Muslims occupying posts on scales of pay rising to Rs. 250 a month and over on the old scales and Rs. 200 on the new scales of pay has risen from 4.84 in 1934 to 8.76 in 1945.

With regard to the subordinate services, it is true that in the last three years Muslims have not obtained the stipulated 25 per cent. quota. The main reason has been, as has already been mentioned to the House by the Honourable the War Transport Member, the poor response to advertisement issued in connection with recruitment to Railway Subordinate Services and this is attributed to Muslims having joined the Fighting Forces and other work connected with the war in greater numbers. All Railway Administrations have experienced this difficulty including the North Western Railway where the recruitment to Subordinate Services is made not by the Railway Administration but by an outside body, namely, the North Western Railway Service Commission. Their position, however, has been steadily improving since 1934. Their percentage in the permanent Railway Subordinate services on the 31st March 1935 was 16.67, which increased to 20.2 on the 31st March 1945. It is hoped that among the war service candidates greater proportion of Muslims will be found to make up the deficiency of these years. The Railway Board exercises a fairly strict check over recruitment figures submitted by Railway Administrations and Railways which failed to make up their communal quotas have had their attention drawn to this fact with instructions to make every effort to rectify the deficiency in the succeeding year.

Then I think it was my Honourable friend Mr. Nauman who mentioned that on the Selection Committees they have a junior officer who is subordinate to other officers on the Committees. That, Sir, is not a fact. There are strict instructions that on the Selection Committees no one member should be subordinate to the other. I hope, Sir, with this explanation the Honourable Member will withdraw his cut motion.

Khan Bahadur Hafiz M. Ghazanfarulla (Rohilkund and Kumaon Divisions; Muhammadan Rural): Sir, according to the rules of the recruitment, there is a machinery to look after the recruitment in a proper way. My submission is that the supervision to look after that machinery must be done in a proper way.

[Khan Bahadur Hafiz M. Ghazanfarulla.]

I want that there should be somebody to look after the running of this machinery properly. It has been said that according to Rule 72 of the State Railways, three persons are to be appointed to the Selection Committees. But I have seen that they are not of equal ranks. That is the case in many Divisions. The result is that the function of the selection of candidates is not carried out properly by these Committees. Generally, it is the Divisional Personal Assistant who selects the men for interview and as he is sometimes communal-minded, he takes only those Muslims who are very inferior in education with the result that at the time of interview they are rejected. It should not be so. If all the three members of the Selection Committee are of the same rank, this will not happen. The other thing is that the Divisional Superintendent has to ask one of these three to work as the Chairman of the Selection Committee. That must be carried out properly. According to recruitment rules the committee of 3 should consist one from minority community "wherever possible"; the words "wherever possible" must be removed from the rules. There should be one member from the Muslim community so that no injustice may be done at the time of selection. With these remarks I support the motion for cut.

Mr. Muhammad Nauman: May I ask one question of the Honourable Member? The Honourable Member has just said on behalf of the Government that there is a machinery in the Railway Board which keeps a regular watch that the communal quota is being maintained in the matter of recruitment. Is there any other machinery which equally keeps a watch that in the matter of dismissals and discharges the number of Muslims is not going down? What happens is this. It is like a jar with a hole. It may be that in the matter of recruitment the Muslims are given 25 per cent. but in the matter of discharges their number may be very large. If you see the whole year's recruitment of any particular railway, you will find that Muslims have been discharged probably to the tune of 50 per cent. with the result that the communal quota cannot be made up in the long run, whether it is 100 years or a thousand years. Is there any machinery to watch that point?

The Honourable Sir Edward Benthall: Well, Sir, as regards that point, we do not keep any figures of discharges, but we do keep the figures of the net result, which means the recruitment less discharges. We watch the alterations year by year. In addition, of course, to the Railway Board and myself watching these figures of recruitment, the Home Department, in order to supervise the Resolution of 1934, also watch to see that the proper percentages of the minority communities are observed.

Mr. Muhammad Nauman: I quite appreciate that. Does not the Honourable Member appreciate the fact that although the recruitment may be correct, the Muslim position will not improve unless some check is maintained also in the matter of dismissals and discharges? You will notice that in spite of the best efforts, the Muslim position has not improved in Railway services. For instance, within 10 years they have only improved by 5 per cent., although the number of staff employed on the railways was about 7 lakhs in normal years and it has now gone up to 9,62,000. Still, the percentage of Muslims has not improved. Why it is so?

The Honourable Sir Edward Benthall: I will look into the matter and see whether any further machinery is necessary to watch dismissals.

Raja Sir Salyid Ahmad Ali Khan Alvi (Nominated Non-Official): Sir, I do not think it can be said that proper Muslims are not forthcoming and in Railway services Muslims were not recruited because properly qualified people were not available. When I was Minister of Education, the same thing was told to me. But when I got the files and examined them with the Director of Public Instruction, I found that 5 persons were quite competent to hold that post and three of them were appointed by me at that time. I believe that if there is a will there must be a way. Most of these people do not realise that by keeping a

particular community above par they are not doing any service to that community. If both the communities go up, most of this estrangement will go and they will live happily together. To my mind, I think the story about the Railway Department, so far as the Muslim community is concerned, is the same story which you can hear anywhere else. Even the illiterate people say that the Railway Board has got no liking for the Muslims. I think my Honourable friend, Sir Edward Benthall, whom I know very well, wants to do good, but he can only formulate the policy. Those who carry out that policy are not willing to carry it out properly. So, there should be some kind of a Welfare Committee to look after the interests of the minority communities. From the figures that have been given, it appears that the ratio of Muslims has been only doubled in ten years' time in spite of all these war measures when so many more persons were required. I think it was not very difficult to get the qualified Muslims to fill up the fixed quota. But I know the handicaps that are there. I have been myself recommending people to different Departments but I am sorry to say that most of my recommendations to the Railway Board have been turned down. I think only one recommendation was accepted. This is not the case with other Departments. I hope my Honourable friend Sir Edward Benthall will look into this thing and in his answer he will give me an account of what has been done. But if this Welfare Committee is not appointed, I am afraid this thing will continue to be done in the same way as in the past years. The Railway Board ought to know that, after all, the public consists of both the communities and other communities and each one of them should have its proper share. What they want is their legitimate share and it should be given to them with a smiling face. If what they want is more than their share, they should be told: "No, you cannot have it and we will not give it to you. It is more than what has been your due share which you now want."

The Honourable Sir Edward Benthall: Sir, I do not think the Honourable Member expects any reply except to say that I will give my personal attention to these things. It is our constant aim to try to keep up to these figures. Apart from anything else and to put it on the lowest level, if we do not keep up the quota, we get into trouble with Honourable Members in this House. Therefore we like to see that the figures reach the percentage, because then we feel that they are satisfied and we get less trouble. I can assure my Honourable friends that we do try and implement this percentage both in numbers and in spirit.

Raja Sir Salyid Ahmad Ali Khan Alvi: It is good so far as it goes, but what we want is we should get a Welfare Committee to look after the interest of the Muslims in this matter. On that point, I want a definite answer from the Honourable Member. If the Honourable Member cannot give an answer immediately, he can look into the matter and let us know later on. I do not want the Honourable Member to commit himself here and now.

The Honourable Sir Edward Benthall: I am very sorry I cannot promise him an answer straight away on this question of a Welfare Committee. We have from time to time considered various steps for further checking up the machinery. But whatever machinery is set up will have to be a machinery to cover the whole of the Government. We have in our Railway Board itself a machinery for watching these figures of recruitment. Obviously if you want anything else, you want it to be something which covers all the Departments of the Government, and to be outside any particular Department. Therefore if anything is to be set up, probably it must be something under the Home Department. But in view of the fact that until recently, under war circumstances, the percentages have been satisfactorily filled, there has not been really any case for such a bit of machinery. That is why in the past, although it has been examined several times, we have come finally to the conclusion that the machinery in existence was adequate. To be frank, what is wanted is better qualified applicants for the posts which we find some difficulty in filling up, for instance, in the

[Sir Edward Benthall.]

case of posts for the Engineering Department. In that lies the real solution. I can assure my Honourable friend that anything we can do to help the community in that way, we shall certainly do.

Mr. Muhammad Nauman: Sir, in view of the assurance that the Honourable Member has given that he will also look into the matter of dismissals and discharges and see that even if the recruitments are made up according to the quota, why Muslims do not improve to any appreciable degree and in view of this assurance that he would look into these matters himself, I do not want to press the motion to a Division and I beg leave to withdraw the motion.

The motion was by leave of the Assembly withdrawn.

Mr. Deputy President: According to the arrangement arrived at among the Parties, today was allotted for the Muslim League Party. All the cut motions have been debated and there is no other cut motion to be taken up. I understand that a request has been made that some Honourable Members of the European Group want to send in some other Cuts. Well, that is not for the Chair to decide at this time. This may be arranged in consultation with all the Parties and cut motions may be put up before the Honourable the President tomorrow morning. At that time, if he finds that there is general agreement among the Parties, he will come to a decision. I cannot foretell what his decision will be and what the arrangement of the Parties would be. Therefore, I cannot say anything in respect of that at this time. I think it is open to the European Group to negotiate with other parties.

As there is no other business, the House will now adjourn till eleven of the Clock tomorrow.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 27th February, 1946.

APPENDIX

INTERIM REPORT OF THE COMMITTEE ON THE BRETTON WOODS CONFERENCE AGREEMENTS

The motion adopted by the House at its meeting held on the 29th January, 1946 is substitution of the motion moved by the Honourable the Finance Member on the previous day asking for ratification of the action of Government in adhering to the Bretton Woods Agreements as an original member proposed *inter alia* "that in order to determine what steps should now be taken a Committee of this House consisting of nine members be elected to go into this question and report at an early date to this House and pending consideration by this Assembly of such Report no further action be taken by this Government in respect of the said Fund or Bank". We, the undersigned, members of the Committee to which the above matter was referred, have considered the subject and have the honour to submit below our interim Report containing our recommendations.

(1) We strongly endorse the statement made in the course of the recent debate by the Honourable the Finance Member that India is not bound in any way by the terms of the Anglo-American Loan Agreement of December, 1945.

(2) In our view the final decision whether it would be to India's advantage to remain a member of the Bretton Woods institutions may be determined to a very considerable extent by the outcome of the negotiations which His Majesty's Government are committed to undertake with the Government of India on the subject of liquidation of sterling credits. If these negotiations are unduly delayed, it may be necessary for India to withdraw before these negotiations take place, because it may happen that India will be called upon under the Agreement to undertake commitments which she may feel unable to shoulder in the absence of a satisfactory solution of the sterling credits. Similarly, it may be necessary for India to withdraw from the International Monetary Fund and the International Bank in case the proposals of His Majesty's Government for the settlement of sterling balances are not satisfactory to India. Apprehensions in this regard were voiced in the course of discussions in the Committee, owing to certain speeches by eminent men in England advocating the scaling down of sterling balances, and we are assured in this connection by the Honourable the Finance Member that nothing has happened since the authoritative pronouncement made by Lord Keynes, Head of the U. K. Delegation at the Bretton Woods Monetary Conference in response to the demand of the Indian Delegation for an assurance on the subject, to diminish in any manner the authority or force of that statement. Nevertheless, in order to allay the anxieties which have been caused by certain statements in Parliament and in the British press we would welcome an early and authoritative re-assurance by His Majesty's Government on this point and the fixing of a date for negotiations with the least possible delay.

(3) We are also informed by the Honourable the Finance Member that sections 40 and 41 of the Reserve Bank of India Act, 1934, under which the Bank is legally compelled to give rupees for sterling and to accumulate sterling against the issue of rupees will be amended as part of the action that will be taken to implement adherence to the International Monetary Fund Agreement.

(4) We recommend to the Assembly that Government may be authorised to appoint a Governor and an alternate and Executive Directors and alternates, when this is necessary, but no further financial commitments should be undertaken by Government, with regard to the Fund or the Bank before the matter has been further considered by the Committee. The Committee should be summoned again to have a report from the Governor on his return from the first meetings of the Boards of Governors of the Fund and the Bank; we expect that he may be able to bring additional information bearing on the probable scope and manner of operations of these international institutions in relation to the requirements of this country, which may assist the committee in arriving at a considered recommendation to the Assembly on the question of continuance or discontinuance of membership.

A. ROWLANDS.

GEOFFREY W. TYSON.

B. K. MADAN.

*K. C. NEOGY.

*N. V. GADGIL.

*M. ANANTHASAYANAM AYYANGAR.

*MANU SUBEDAR.

YUSUF A. HAROON.

ZIA UDDIN AHMAD.

NEW DELHI;

The 26th February, 1946.

*Subject to a Supplementary note.

SUPPLEMENTARY NOTE TO THE INTERIM REPORT OF THE COMMITTEE ON THE BREITON WOODS CONFERENCE AGREEMENTS

With reference to paragraph (3) of the interim report, we should like to add the following :—

Apart from India's membership of Bretton Wood's Institutions the question of amending the Reserve Bank Act, 1934, has assumed very great importance as there is a continuous addition to our sterling balances. We think that Government should act promptly to put a stop to these accumulations by amending relevant sections of the Reserve Bank Act, 1934, or otherwise. The accumulated balances are already a great problem and we do not want them to become more difficult and disadvantageous to India.

MANU SUBEDAR.

M. ANANTHASAYANAM AYYANGAR.

K. C. NEOGY.

N. V. GADGIL.

NEW DELHI;

The 26th February, 1946.

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