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THE LEGISLATIVE ASSEMBLY DEBATES

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OF THE

SIXTH LEGISLATIVE ASSEMBLY, 1946



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LEGISLATIVE ASSEMBLY

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SARDAR MANGAL SINGH, M.L.A.

LEGISLATIVE ASSEMBLY

Friday, 15th March, 1946.

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

MEMBERS SWORN:

Sir John Francis Sheehy, C.S.I., I.C.S., M.L.A. (Government of India: Nominated Official); and
Mr. Charles William Ayers, C.I.E., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS

SLAUGHTER OF BUFFALO-CALVES BY MILITARY AUTHORITIES

1003. *Prof. N. G. Ranga: Will the Agriculture Secretary be pleased to state:

(a) if it is a fact that the Military authorities slaughter even buffalo-calves; if so, whether any record has been kept about their ages and numbers;

(b) whether any steps are taken to prevent such a slaughter;

(c) if it is also a fact that the Military authorities are prepared to send the buffalo-calves in their farm on the fourteenth day of their birth and have offered to give them away freely to anyone who wishes to look after them;

(d) whether Government are satisfied that the calves of fourteen days of age can live if separated from their mother-buffaloes and whether Government propose to represent to the Military authorities to send them at least when they are three months of age, so that the calves can be safely separated from their mother-buffaloes; and

(e) whether Government propose to get into touch with the existing Pinjrapoles and other organisations interested in cattle protection and development and invite their attention to the offer of the Military authorities to give them the buffalo calves freely and tell them at what Military farms and on what days in the week or month they can take charge of the calves?

Sir Pheroze Kharegat: (a) As stated in the reply to Starred Question No. 424, of Pt. Thakur Das Bhargava, in those Provinces in which legislation prohibits the slaughter of female buffalo calves, no such calves are slaughtered, except a small proportion (considerably less than one per cent) which have to be destroyed on veterinary advice. In other provinces a percentage of such calves, depending on the demand for meat and the availability of feeding grains are slaughtered. A statement is laid on the table showing the number of female buffalo-calves slaughtered is three Military Farms, viz., Meerut, Agra and Muttra. No records as to numbers and ages of those slaughtered in other areas are kept, but a record of all calves given away free is maintained. A rough estimate shows that out of 1100 young stock produced each month some 750 are taken away and some 200 kept at the farm.

(b) Orders were issued in August 1945 to all Military Farms prohibiting the slaughter of calves, where the laws of a province do not permit slaughter.

(c) Female buffalo-calves are maintained at Government farms for 14 days and then given away free to those who are prepared to take them.

(d) Experts differ on the point but the military authorities consider that practical cattle breeders who are conversant in the art of weaning can rear young calves even when they are separated from their dams at the age of 14 days. They point out that the rearing of these calves for three months at farms comes to Rs. 150 each and do not consider it desirable to undertake this work.

(e) The Provincial Governments were informed about the free availability of such animals for rearing by cattle breeders. Wide publicity is also said to have been given to this by the Information Department. The Military Farms will have no objection to handing over the calves to Pinjrapoles and other organisations who may contact the nearest farms for obtaining these calves. They may be taken on any day of the week or month, except Sundays.

Statement showing the number of female buffalo-calves in three Military Farms, viz., Meerut, Agra and Muttra.

Buffaloes	Born	Given as free gift	Died	Reared	Destroyed
		MEERUT			
Female	54	12	26*	15	2*
		AGRA			
Female	47	27	4	16 2†	...
		MUTTRA.			
Female	26	5	20‡	1	...

* Destroyed on veterinary certificate.

† The high percentage of deaths is due contagious abortion being prevalent in the herd to certified by veterinary officers.

‡ Six died at birth, eight died of stomach disorders and six destroyed on veterinary orders. The veterinary officers state that 14 deaths were probably due to dietetic errors which have since been rectified.

Prof. N. G. Ranga: In view of the fact that it is not always the expert cattle breeders who will be able to take these calves, will Government consider the advisability of reconsidering their earlier decision and increasing the age of these calves from 15 days to a longer period before they are given away to these Pinjrapoles or other organisations?

Sir Pheroze Kharegat: The suggestion will be examined.

Mr. Manu Subedar: May I know whether there is only one-way traffic from the military to the Agriculture Department and that there is no traffic from the Agriculture Department to the military with regard to ideas? And in view of the great depletion of the cattle in India, could not the military be now persuaded by the Agricultural Department to take the extra trouble, to give the benefit of the doubt, and not get these calves, at least the she-calves, disposed of in 14 days and keep them for at least 30 days?

Sir Pheroze Kharegat: That is exactly what I have said that we shall examine the matter in consultation with the military authorities and see if the period can be extended.

Mr. Manu Subedar: My question is this: Are the civilian members of this Government so powerless against the military that they could not enforce this very much required restriction with regard to the depletion of calves, at least the she-calves which will bear fruit?

Sir Pheroze Kharegat: I do not quite catch the point.

Mr. Manu Subedar: Are the civilian members of this Government so powerless as against the military and are the military so impervious to ideas which will benefit this country, that they will not accept and adopt such a very requisite measure.

Sir Pheroze Kharegat: The military are already giving away animals at 14 days, free, and the only question is whether it should be done at 14 days or a month; the latter suggestion will be examined and if possible it will be done.

Prof. N. G. Ranga: Why is it that the military farms do not keep statistics of all those calves that are being slaughtered and their sex? And also, are there many other military farms, and if so where are they, apart from the three that are mentioned?

Sir Pheroze Kharegat: May I suggest that that inquiry may be addressed to the War Department?

Seth Govind Das: Does the Honourable Member know that with respect to clause (d) of the question, the experts may differ but in practice the calves which are sold or given by the military authorities at 14 days die and do not live to the extent of 99 per cent?

Sir Pheroze Kharegat: Government have no information of that.

Seth Govind Das: Will the Government, if they have no information, collect the information in this respect, because the future action depends upon these statistics?

Sir Pheroze Kharegat: It will be very difficult to collect information as to what happens to the animals after they are handed over to individual breeders.

Mr. Ahmed E. H. Jaffer: Is it a fact that the dehydration factories started during the course of the war are being closed down?

Sir Pheroze Kharegat: I do not think that arises.

Mr. Leslie Gwilt: May I ask the Honourable Member whether the provincial Governments have been approached with a view to rearing calves, as is done by the Bombay Government?

Sir Pheroze Kharegat: Yes, Sir. The Provincial Governments have been informed both about the free availability of the animals and the need for taking them and rearing them themselves.

Mr. Leslie Gwilt: May I ask the Honourable Member how many Provincial Governments have taken advantage of this offer?

Sir Pheroze Kharegat: I am afraid I have not got the information but I am quite prepared to collect it.

Prof. N. G. Ranga: What are the Provincial Governments which have not prohibited the slaughter of calves?

Sir Pheroze Kharegat: There are two provinces: The N. W. F. P. and the Punjab.

EXPORT OF GOODS BY SEA FROM INDIA TO BURMA

1004. ***Mr. Manu Subedar:** (a) Will the Honourable the Commerce Member please state if it is a fact that a large quantity of goods is being exported from India to Burma by sea since December 1945?

(b) If so, what is the total quantity that has been exported up to the last date for which figures are available?

(c) Is it a fact that these goods are purchased by the agency of the Government of Burma in India? If that is not so, which agency is purchasing these goods on behalf of the Government of Burma?

(d) Do Government intend to allow the normal channels of trade to export such goods to Burma in the future? If so, when? If not, why not?

(e) Are the goods thus exported required for the consumption of the civil population in Burma, or are they required for military purposes?

The Honourable Dr. Sir M. Azizul Huque: (a) Exports representing urgent requirements of the Government of population for a limited period are permitted after having

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

(c) The goods are indented for by the Burma Supply chases are made by the Supplying Department concern of India.

(d) Yes, as early as possible. The matter has been in the Government of Burma.

(e) The goods exported are for the rehabilitation of military purposes, and I may add that the value of the exports in December was only Rs. 1,10,624 and the value of all goods exported to Burma in January was Rs. 2,08,556.

Statement showing the quantity and value of Indian merchandise exported to Burma during the month of December 1945

Name of Article	December 1945	
	Quantity	Value.
		Rs.
Coal	7,244 tons	1,08,660
Provisions	3 cwt.	202
Earthenware		238
Apparel		170
Furniture . . . . .	..	200
Stationery		397
Paints and colours		32
Haberdaeshery . . . . .		..
Hardware		357
Glasses and glassware		127
Chemicals . . . . .	..	5
Leather . . . . .	..	..
Spices-pepper . . . . .	..	..
Cotton, canvas . . . . .	..	..
All other articles manufactured . . . . .	..	236
Total export . . . . .	..	1,10,624

Mr. Manu Subedar: May I know what steps the Government is taking in order to eliminate Burma Government purchases to permit the normal trade channels?

The Honourable Dr. Sir M. Azizul Huque: I have a taken it up actively with the Government of Burma.

Mr. Manu Subedar: May I know why it is not suggested to the Burma Government to supply themselves through the normal trade channels; why is the Supply Department here making itself available and more particularly when the Finance Member told us yesterday that the monies owing by the Burma Government have accumulated to an alarming figure? May I know why this Government is permitting goods required by the civilian population of this country to go in this manner by Government purchase?

The Honourable Dr. Sir M. Azizul Huque: My Honourable friend is assuming, as he always does, a very large number of things which is not a fact or does not arise out of the question. I have said that this began immediately after the cessation of hostilities and we have taken up the matter actively with the Government of Burma in regard to the resumption of normal trade channels.

Prof. N. G. Ranga: I take objection to the Honourable Member saying that my Honourable friend here always does assume things.

Mr. Manu Subedar: I am anxious to ascertain the facts. I do not want to make assumptions which are wrong but I do want to know whether the Government propose not merely about Burma but several other countries to permit Government missions to be established here for purchase. It is the same thing about Ceylon. This is a large issue of policy. I do not want to make assumptions but it is for my Honourable friend to assure this House that the Government of India will not permit this kind of thing to go on for ever.

The Honourable Dr. Sir M. Azizul Huque: If the Government of India was the only agent in a transaction which involves two parties, I would have immediately given that answer but otherwise our policy has been and remains - I do not know what it will be when my friend will come—to see that the normal trade channels are established as soon as possible.

Mr. K. C. Neogy: Is the Honourable Member in a position to state whether the goods so far purchased on behalf of the Government of Burma include any that may be in short supply in this country.

The Honourable Dr. Sir M. Azizul Huque: Only 40 yards of cotton canvas have been sent.

Mr. Manu Subedar: What steps are the Government taking to reorganise trade channels at least so far as food from Burma is concerned? Will Indian merchants be allowed to collect food from Burma against the goods which are going from here, when it is found to be a surplus in Burma?

The Honourable Dr. Sir M. Azizul Huque: As I have said, this question has been actively taken up and recently a deputation of the merchants representing the various interests, including the rice trade, was sent to Burma to discuss the question.

Diwan Chaman Lal: May I know whether these are cash or credit transactions?

The Honourable Dr. Sir M. Azizul Huque: I am not sure about it and cannot reply straight away. I will be able to collect the information from the Supply Department.

BASIC EDUCATION SOCIETY, WARDHA.

1005. ***Prof. N. G. Ranga:** Will the Education Secretary be pleased to state:

(a) if Government have been following the activities of the Hindustani Talimi Sangh (Basic Education Society), Wardha, and have read their annual reports;

(b) whether they have noticed that a number of Provincial and State Governments are helping it and have begun to make experiments with the methods of teaching and running schools as advocated by that Society;

(c) whether it is a fact that the Government of India and their All-India Educational Advisory Council have approved the basic principles underlying the scheme of that Society;

(d) whether Government have taken any steps to experiment with that Society's methods of teaching with the craft as the main basis; if so, where and when;

(e) whether Government have started any schools at least in the Centrally Administrated Areas; and

(f) why Government do not start an All-India Training College and experimental centre to propagate the principles and economics of Basic Education?

Dr. D. M. Sen: (a) Yes, Sir.

(b) The Government of India have no information as to what help 'The Hindusthani Talimi Sangh' is receiving from Provincial Governments and Indian States. The Government of India are, however, aware that some Provincial Governments and Indian States are carrying out experiments in Basic Education on the lines adopted by the Central Advisory Board of Education, in 1940.

(c) The Government of India have generally accepted the principles underlying the Basic Education Scheme adopted by the Central Advisory Board of Education.

(d) and (e). The Government of India propose to start immediately to implement the Post-War Educational Development Scheme, prepared by the Central Advisory Board of Education. The attention of the Honourable Member is called to that report, particularly to the Chapter on Basic Education. The new schools, proposed, will incorporate the principles recommended in that report.

(f) The Government of India propose to establish colleges for training teachers for the Basic Schools that will be started to meet the requirements of the Centrally Administered Areas

Prof. N. G. Ranga: In regard to the suggestion in part (f) about the starting of an All-India Training College and experimental centre, what is the answer?

Dr. D. M. Sen: We are starting colleges for the Centrally administered areas and as I have said in reply to (f) these training colleges will train teachers for basic schools

Prof. N. G. Ranga: Will this College serve the interests of the whole of India or only the Centrally administered areas?

Dr. D. M. Sen: We are primarily concerned with the Centrally administered areas. I suppose if there are seats available, then other educational authorities might also be able to utilise them

Prof. N. G. Ranga: May I suggest that this college should serve the needs of the whole of India and not only of the Centrally administered areas?

Dr. D. M. Sen: Education is a provincial subject and we cannot anticipate provincial needs. We do not know whether there will be a need for an All-India college. Provincial Governments are taking steps to train teachers on the lines recommended by the Central Advisory Board of Education but if there is any need which is not met by the requisite authorities, the Central Government will certainly consider it.

Mr. Ahmed E. H. Jaffer: Will the Provincial Governments again enforce the singing of 'Bande Mataram' in the Muslim schools?

Prof. N. G. Ranga: What contact do the Government of India maintain between their department here and this particular society and other societies in the country.

Dr. D. M. Sen: The Government of India are utilising the Central Advisory Board of Education to contact the All-India educational and cultural agencies and as such the Central Advisory Board of Education collect annual and periodical reports from 'The Hindustani Talimi Sangh'; and incidentally there is one member of 'The Hindustani Talimi Sangh' who is also a member of the Central Advisory Board of Education.

SEPARATION OF HILL DISTRICTS FROM ASSAM PROVINCE.

1006. *Mr. G. B. Dani: (a) Will the Honourable the Leader of the House be pleased to state if it is a fact that Government are proposing to separate the Hill districts of the Assam Province from the Province? If so, why?

(b) Are Government aware of the fact that the separation of these Hill districts from the Assam Province will cause dissatisfaction in the Public of Assam and the rest of India?

The Honourable Sir Edward Benthall: (a) I would invite the attention of the Honourable Member to my reply to Mr. Rohini Kumar Chaudhuri's starred question No. 405, on the 20th February, 1946, to which I have nothing to add.

(b) Does not arise.

Sreejuti Rohini Kumar Chaudhuri: Is it a fact that information is being collected by the local officers under instructions of Government, so that the matter may be considered in the Constituent Assembly and later on by the Parliament?

The Honourable Sir Edward Benthall: I am not aware whether information is being collected but no doubt it will be one of the subjects which will come before the Constituent Assembly.

Prof. N. G. Ranga: Are Government aware of the fact that the All-India Excluded Areas and Tribal People's Association has repeatedly protested against any idea of separating these people from the self-governing areas of India?

The Honourable Sir Edward Benthall: I would refer the Honourable Member to my previous answer.

Sreejuti Rohini Kumar Chaudhuri: Is it not a fact that His Excellency the Governor General of India paid a visit to Balipara frontier tract and that there the tribal people were assembled before him to express their opinion on this subject?

The Honourable Sir Edward Benthall: I am not aware of that.

Sreejuti Rohini Kumar Chaudhuri: Is it not a fact that the Political Officer of Khasi and Jainta Hills was especially summoned to England so that facts may be ascertained from him with regard to those Hills and also with regard to Lushai Hills of which he was a Political Officer?

The Honourable Sir Edward Benthall: If the Honourable Member will put down a question, I will endeavour to answer it.

Sreejuti Rohini Kumar Chaudhuri: Has the Government seen the copy of the letter addressed by Mr. Small, the retired Director of Public Instruction, Assam, on this subject to the British Parliamentary Delegation?

The Honourable Sir Edward Benthall: If the Honourable Member will put down a question, I will endeavour to answer it.

LATENT COLORATION OF VANASPATI.

1007. *Mr. G. B. Dani: (a) Will the Food Secretary be pleased to state if Government are aware that the Vanaspati Manufacturers' Association of India have recommended to the Food Department that the latent coloration of Vanaspati should be enforced with a view to preventing its use for the adulteration of pure ghee?

(b) If so, has the Food Department considered this representative request?

(c) Is it a fact that the Food Department has licensed twenty-seven additional units for the manufacture of vanaspati to raise the production without considering the possibility of the existing small units to expand their capacity without considerable addition to plant?

Mr. B. B. Sen: (a) Yes, the Association supported the proposal initiated by the Controller's Advisory Committee.

(b) Yes the test will be enforced after it has been finalised in respect of technical details.

(c) No. The prospect of expanding the existing factories was considered and the assistance given has resulted in the expansion of the capacity of factories existing in 1939 from 51,000 tons to 1,19,000 tons.

Diwan Chaman Lall: May I ask if it is not a fact that 27 additional units have been licensed?

Mr. B. R. Sen: 28, Sir.

Diwan Chaman Lall: May I ask whether any official of the Food Department, from the lowest to the highest, is in any way financially connected with the promotion of any of these units?

Mr. B. R. Sen: The answer is in the negative.

Diwan Chaman Lall: May I ask whether any relations of any of these officials, from the lowest to the highest, are connected with the promotion of any of these units?

Mr. B. R. Sen: Not to our knowledge.

Diwan Chaman Lall: Is my Honourable friend prepared to make an inquiry into this matter?

Mr. B. R. Sen: We are quite prepared to make inquiries.

Prof. N. G. Ranga: Will Government expedite the consideration and come to an early decision in regard to the colour that must be used by all Vanaspati products?

Mr. B. R. Sen: It is not a colour which is being added to the Vanaspati, but it is an oil which is a latent agent for detection of adulteration. In other words, it is not a colour but an agent which gives a colour re-action.

Prof. N. G. Ranga: Have Government sufficient authority today to insist upon this colour being used, or a chemical being used, in order to enable the public to easily distinguish Vanaspati from Ghee so that there will not be any adulteration of Ghee by Vanaspati?

Mr. B. R. Sen: The proposal is that sesame oil should be incorporated in Vanaspati so that it may act as a latent agent for the detection of adulteration. This proposal is being examined by the Principal of the Hercourt Butler Institute in regard to its technical aspects. As soon as the technical examination is finished, we will take necessary action to give effect to the proposal.

Mr. Manu Subedar: Have Government made any progress with regard to the question as to whether the activities of some of the Vanaspati producers cannot be restrained in order to preserve groundnut, which would be good for human food and cotton seed which is wanted for cattle food?

Mr. B. R. Sen: The matter is under examination.

EMPLOYMENT OF UNEMPLOYED WOMEN IN COAL MINES.

1008. ***Prof. N. G. Ranga:** Will the Honourable the Labour Member be pleased to state:

(a) whether any efforts are made and if so, what they are to provide alternate employment to those women who had been working in coal mines and who are unemployed since the 1st February;

(b) why Government allow employers to utilise the services of contractors to provide some work for some of those unemployed women;

(c) the wages paid to these women by Contractors; and

(d) why Government refuse to continue the grant to their families on the account of these women, of the additional half a seer of free rice, half a seer of free milk and concessions in purchasing rice and dal, in view of the fact that male members of their families are working in the mines?

The Honourable Dr. B. R. Ambedkar: (a) Attention of the Honourable Member is invited to the answer given in reply to part (b) of starred question No. 466, on the 25th February, 1946;

(b) Contractors are employed for building, sand loading and unloading, brick making, etc., and some women excluded from the underground workings have been employed on these classes of work, which are always let on contract.

(c) The earnings of women so employed are between 10 to 12 annas a day excluding half a seer free rice and a bonus of two annas for each attendance.

(d) The additional ration concessions are only given to coalmine workers.

The concession regarding free supply of milk to women workers employed underground in coalmines was prescribed as a compensatory measure in connection with the removal of ban on their employment underground. Consequent on the reimposition of the ban from 1st February 1946, the concession has ceased to be in force from that date.

Prof. N. G. Ranga: In regard to the question of concession in purchasing rice and dal, why should it not be continued now in regard to those women who are now to work on the surface but who previously used to work underground?

The Honourable Dr. B. R. Ambedkar: As I said in my reply, those privileges were given when they used to work underground. As soon as the ban has been re-imposed, there is no justification for giving them this compensatory allowance.

Prof. N. G. Ranga: The other day the Secretary to the Honourable Member was saying that some protective measures were being taken in order to protect the workers from the vagaries of these contractors. Are we to understand that those protective measures apply to these women also and they are being protected from being exploited?

The Honourable Dr. B. R. Ambedkar: I did not understand who said that.

Prof. N. G. Ranga: The Honourable Member's Secretary, Mr. Joshi, said that the contractors are being entertained here and through those contractors these women are being employed. Are we to understand that sufficient measures are being taken by Government to protect these women from being exploited by these contractors?

The Honourable Dr. B. R. Ambedkar: All I can say is that if the Honourable Member will put down a specific question, I will get an answer.

Diwan Chaman Lall: Has the Government insisted on a fair wages clause in the contract?

The Honourable Dr. B. R. Ambedkar: So far as my information goes, that clause has been inserted in the contracts.

Mr. Mann Subedar: What steps Government are taking generally to examine the problem that the contractor may be eliminated and the labour should work directly for the employer?

The Honourable Dr. B. R. Ambedkar: That matter is under examination.

Diwan Chaman Lall: My question related to the fair wages clause being inserted in the contracts of these women workers?

The Honourable Dr. B. R. Ambedkar: That has not been done so far; it may be considered.

CONSTRUCTION OF A DAM ACROSS THE LAXMANATRITHA RIVER

†1009. ***Shri D. P. Karmarkar:** Will the Honourable the Labour Member be pleased to state:

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

(a) whether the construction of a dam across the Laxmanatritha river in Coorg is contemplated, and whether the said project is being taken up in expectation of irrigation about 30,000 acres of land;

(b) whether the Mysore Government have raised objections to the said scheme;

(c) whether the Government of India have been addressed in this matter by the Chief Commissioner of Coorg; and

(d) whether the Government of India have arrived at a decision in the matter; if so, what that decision is; if not, whether Government propose to arrive at an early decision to enable the Coorg Government to proceed with the speedy execution of the project?

The Honourable Dr. B. E. Ambedkar: (a) Yes, but the project as prepared in 1942 was estimated to irrigate only about 3,000 acres.

(b) Information is not available; it is being called for.

(c) and (d). The project was examined but it was found to be wanting in certain technical aspects. The Chief Commissioner, Coorg, was asked to revise the project in the light of the technical advice and also to enquire of the neighbouring state whether they had any objection to its execution. The revised project has not so far been received from the Chief Commissioner, Coorg, though it is included in the five year post-war plan of the Coorg Administration.

CULTIVATION OF FALLOW LAND IN NORTH KANARA DISTRICT.

†1010. ***Shri D. P. Karmakar:** Will the Agriculture Secretary be pleased to state:

(a) what measures have been taken to popularise the 'Grow More Food' campaign in the North Kanara District in the Bombay Province;

(b) whether there is a large area of cultivable fallow land remaining uncultivated; if so, what the area is;

(c) whether it is a fact that malaria is largely prevalent in the inland parts of the district, and whether on account of depopulation consequent on malaria and other epidemics considerable fertile land is remaining uncultivated;

(d) what measures Government propose to take to bring all the fallow lands in the district under cultivation and increase the food growing capacity of the district; and

(e) what financial assistance Government propose to make available for the purpose mentioned in (d)?

Sir Pheroze Kharegat: (a) The following measures have been taken by the Government of Bombay in furtherance of the Grow More Food Campaign in the North Kanara District:—

(i) Interest free Tagai loans are advanced to the cultivators for the purchase of improved seeds.

(ii) Tagai loans are also advanced to the cultivators for the construction of wells and tanks. The loan is interest free in the first year and bears interest at the rate of 3½ per cent. per annum thereafter. 50 per cent. of the cost of these projects is given as subsidy.

(iii) Rent free leases are granted for a period of three years for bringing more land under cultivation.

(b) The area of fallow land lying uncultivated in the district is 107,462 acres and Government waste land 52,969 acres. Most of this area has been fallow for the last 50 years and is over grown with thick vegetation.

(c) Malaria is largely prevalent for five months of the year and the population has consistently dwindled in the above Ghat Talukas and scarcity of labour is acute. Disease and pests are also responsible for fallow.

(d) A scheme of colonisation to bring larger areas under cultivation is under the active consideration of the Provincial Government. They propose to eradicate malaria by the extensive use of D.D.T. A malaria research station has recently been established and has already done good work. The use of D.D.T. will be extended.

(e) The question is under the consideration of the Provincial Government.

SURVEY OF SUB-SOIL WATER FOR IRRIGATION

1011. *Dr. Sir Zia Uddin Ahmad: (a) In view of the fact that there is a necessity to grow more food, what steps has the Agriculture Secretary taken to have the survey of sub-soil water which may be utilised for agricultural purposes?

(b) What are the possibilities of getting sub-soil water for irrigation purposes in various Provinces?

Sir Pheroze Kharegat: (a) In 1944 a Central Sub-soil Water Section was set up under the Irrigation Adviser to advise provinces as regards suitable tracts for tubewell irrigation, to carry out trial borings and to collect and co-ordinate data regarding sub-soil water supplies. The Irrigation Adviser went to the United States of America to secure the necessary machinery part of which has already arrived. A training class in the use of these boring rigs is being organised at Dhanbad.

(b) The possibilities of getting adequate supplies of sub-soil water for irrigation purposes in the alluvial tracts particularly in the Indo-Gangetic plains are known and these are being developed according to the availability of machinery. In the non-alluvial tracts of India, sub-soil supplies of irrigation water have to be surveyed and this work will be undertaken as soon as the necessary preparations are completed and staff trained.

SHIPPING FACILITIES TO INDIANS BY MALAYAN GOVERNMENT

1012. *Prof. N. G. Ranga: Will the Secretary for Commonwealth Relations be pleased to state:

(a) if he has seen the despatch in the *Hindu* of the 23rd January from its Special Correspondent in Singapore regarding the unfavourable attitude of the Malayan Government and its Military administration towards the demand of Indians, including workers for the provision of shipping facilities to return to India;

(b) if Government are aware that these Indian emigrants have suffered much during the war and after;

(c) if Government are aware that they were accustomed to pay periodical visits to India to see their relatives, be in the midst of their families and look after their properties, land, etc., at least once in three years;

(d) if Government are aware that today their plight is most unenviable owing to shortage of food, clothing, housing and medicines; and

(e) what special steps Government have taken or propose to take to provide adequate shipping facilities for enabling these unfortunate people to pay a visit to India and their relatives at the earliest opportunity?

Mr. B. N. Banerjee: (a), (b), (c) and (d). Yes.

(e) The Government of India are making every endeavour to provide increased shipping to expedite repatriation of Indians from Malaya.

Prof. N. G. Ranga: Is there any possibility of these people not being allowed to come back to India in the light of the revelations made by my Leader by reading those letters the other day lest their presence in this country might be found to be politically difficult?

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

Mr. E. N. Banerjee: I understand that the question refers to all kinds of Indians and not only to Indians accused or suspected of collaboration. As regards the first category of people, so far as Malaya is concerned, I think everybody is free to come back.

Prof. N. G. Ranga: Then why is it that when these Indians wanted to come back to India, they were forced to remain in Singapore and the Home Department is reported to have informed the authorities there that if they were to be sent out to India, they would be forcibly resisted?

Mr. E. N. Banerjee: It is not clear what class of Indians my Honourable friend is referring to.

Prof. N. G. Ranga: I am referring to the Indians in Malaya, who wanted to come back to this country, but their return was not considered desirable by the Home Department. Is it not a fact that when they were thinking of coming back to India, the Home Department is reported to have instructed the local authorities in Singapore that their entry into India would be resisted?

Mr. President: Perhaps the Honourable Member is unaware of the three letters quoted by the Honourable the Leader of the Opposition.

Mr. E. N. Banerjee: I have read them in the newspapers. But I think the Honourable Member should select a suitable occasion for addressing supplementary questions to the appropriate Department.

Shri Sarat Chandra Bose: Is it a fact that the British Military Administration in Malaya consists of British planters in khaki?

Mr. E. N. Banerjee: I submit that that question does not arise.

Mr. President: I should think that this is connected, for this reason, that a particular class of Indians or a particular set of people, who are suspected of something, and whom the people in charge of the administration there do not want to be taken to India, are not given facilities for repatriation. That is the point. Am I correct in understanding it so?

Shri Sarat Chandra Bose: Yes. Look at clause (a) of the question.

Mr. E. N. Banerjee: Our information is that some of the members of the British Military Administration in Malaya are ex-planters.

Shri Sri Prakasa: Is it a fact that about 300 Indians were put on board a steamer at Bangkok in January last and Mr. Aney who happened to be present assured them that they would be taken direct to India, but that they were forcibly disembarked at Singapore and detained there? If so, are Government taking any steps to repatriate them?

Mr. E. N. Banerjee: I want notice of that question.

Shri Sarat Chandra Bose: Is it a fact that the British Military Administration in Malaya which consists of British planters has been known to be notoriously anti-Indian and inimical to Indian interests in the past?

Mr. E. N. Banerjee: I want notice of that question.

Mr. Mann Subedar: How many people have this Government succeeded in getting repatriated from there and what is the estimate in the next month of people whom they expect to repatriate here?

Mr. E. N. Banerjee: I am afraid I have not got the information in my possession. I want notice.

Prof. N. G. Ranga: In view of the fact that there are some Malaya Indians who have returned from Malaya and are now in Delhi, will Government take advantage of their presence here and ascertain further facts with regard to the plight of our Indians there?

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

Mr. R. N. Banerjee: Sir, the Government of India has a representative in Malaya and the recognised procedure is to obtain information from him, and we shall do so.

Prof. N. G. Ranga: It is an extraordinary position. Are we to understand that the Government of India are not prepared to receive representations from any Malay Indians who may happen to be here in Delhi and that they wish to depend only on their agent there in Malaya?

Mr. R. N. Banerjee: That is a different question. We are quite prepared to receive representations. If I heard the Honourable Member aright, he suggested that we should obtain information from Malay Indians here?

Prof. N. G. Ranga: Why should they not?

Mr. R. N. Banerjee: They may not have accurate information.

REMOVAL OF EUROPEAN REFUGEES FROM INDIA

1613. *Sri R. Venkatasubba Reddiar: Will the Secretary for Commonwealth Relations please state:

(a) the number of civilian non-Indian personnel and other displaced persons from countries in Europe or Asia who came to India as refugees up to January 1945;

(b) the number of such persons for whom houses and flats and other accommodation was requisitioned in Bombay city and suburbs;

(c) the number of houses or flats so reserved for accommodating such persons, and the amount of money spent on them so far;

(d) the number of such persons still in the Bombay city and suburbs and continuing in occupation of such accommodation; and

(e) whether he proposes to take early steps to remove all such persons from India to the continent of Europe or wherever they came from, if not, why not?

Mr. R. N. Banerjee: (a) 12,000 approximately.

(b) About 3,000.

(c) Nine houses and flats. The total amount of money spent from 1941 to 1944 was Rs. 3,82,491/12/-.

(d) Nil. All hostels in Bombay meant for refugees have been closed down.

(e) Steps are already being taken to repatriate non-Indian evacuees, but in view of shipping difficulties some time must elapse before they can all leave this country.

Mr. Manu Subedar: May I know why it was found necessary to house 3,000 of them in Bombay City instead of their being spread all over the country, Bombay City being a strategic centre both for military, naval and other purposes?

Mr. R. N. Banerjee: That was to reduce to the minimum the period of their stay here and to make it most convenient for them to return to their homes at short notice.

Shri Sarat Chandra Bose: Are there among the civilian non-Indian personnel and other displaced persons any South African?

Mr. R. N. Banerjee: I have not got the information. I want notice of the question.

Mr. Manu Subedar: May I know why it was thought necessary to secure at public expense for these people some of the best accommodation in Bombay, and may I know why ten months after the war has ended, they are still occupying these places? Have Government taken any steps to restore these places to the civilian population?

Mr. R. N. Banerjee: The expenses on this sort of accommodation are to be borne by the Government of the country to which the refugees belong, so that

the expenditure will not be debited to Indian exchequer. In reply to part (d) I have said that all hostels in Bombay have been closed down.

Sri V. C. Vellingri Gounder: What is the rate of maintenance charges paid daily for these evacuees?

Mr. R. N. Banerjee: It varies. But generally the evacuees who have been in this country for several years are kept in camps. I am afraid I could not give the exact figures.

Mr. Manu Subedar: Are Government aware that some of these refugees and evacuees have added to the vice of the City of Bombay, some of them have indulged in black market activities and that they are not desirable social elements to be continued in this country?

Mr. R. N. Banerjee: I dare say their activities are as human as those of any other people and we are doing our best to send them back to their countries as soon as possible.

RETIRED EUROPEAN I. C. S. OFFICERS EMPLOYED IN INDIAN STATES AND ZAMINDARIS

1014. *Sri R. Venkatasubba Reddiar: Will the Honourable the Leader of the House please state:

(a) the names of superannuated European Indian Civil Service officers who are now employed in the various Indian States or in big zamindaris, and the states where they are employed;

(b) the pension which they draw from the Indian exchequer;

(c) the salaries they draw in the Indian States, etc.;

(d) whether the approval of the Government of India or the Governor General was taken for such appointments;

(e) whether there is any policy underlying the appointment of retired European service men in the Indian States; and

(f) whether there are any Europeans in the service of Indian States, who have served in India in services other than the I.C.S.; if so, their names and the States where they are now serving?

The Honourable Sir Edward Benthall: (a) As far as is known to the Central Government, the following superannuated European I. C. S. Officers are employed in the States:

(1) Sir George Boag in Cochin.

(2) Sir Alexander Tottenham in Pudukkottai.

(3) Sir Colin Garbett in Bhopal.

No information is available regarding superannuated European I. C. S. Officers employed in zamindaris, as employment in zamindaris is not subject to sanction by Government.

(b), (c) and (f). Information is being collected and will be placed on the table of the House in due course.

(d) Approval of the Central Government is not necessary but such appointments are subject to the consent of the Crown Representative who accorded sanction to the employment of the three officers previously mentioned.

(e) No.

Prof. N. G. Ranga: Is it not a fact that the Political Department has to approve the appointment of superannuated Civilians to Indian States?

The Honourable Sir Edward Benthall: Individuals other than I. C. S. Officers?

Diwan Chaman Lal: What is a superannuated Indian Civil service officer?

The Honourable Sir Edward Benthall: The Honourable Member may put that question to the questioner.

Shri Mohan Lal Saksena: Is it not a fact that the Crown Representative consults the Government of India before giving his consent to the appointment?

The Honourable Sir Edward Benthall: No, Sir.

Sri M. Ananthasayanam Ayyangar: Is it a fact that a civilian can serve for 35 years and it is only after that he becomes superannuated and that there are at present in Government service persons who are superannuated and who are more than 65 years of age?

The Honourable Sir Edward Benthall: If the Honourable Member will put down a question to the proper department, it will no doubt be answered.

Shri Satya Narayan Sinha: May I know which of the Members of the Governor-General's Executive Council are superannuated?

The Honourable Sir Edward Benthall: We are all full of youthful energy.

MUSLIM ENGINEERS IN THE CENTRAL PUBLIC WORKS DEPARTMENT

†1015. ***Dr. Sir Zia Uddin Ahmad:** (a) Will the Honourable the Labour Member please state if it is a fact that in the Central P.W.D. out of the thirteen Superintending Engineers there are only two Muslims, out of the sixty-four Executive Engineers only twelve are Muslims and out of the 310 Sub-Divisional Officers only 45 are Muslims?

(b) Did the Honourable Member make any attempt to see whether qualified Muslims are available for appointment with a view to make up the deficiency in the quota of 25 per cent?

The Honourable Dr. B. R. Ambedkar: (a) The numbers are as follows, in respect of the Engineering and Electrical sides taken together:

	Total	Muslims
Superintending Engineers	15	1
Executive and Electrical Engineers	78	13
Sub-Divisional Officers	328	55

(b) All these posts are filled by promotion and the communal representation rules are not applicable to cases of promotion. The question of securing the 25 per cent. quota for Muslims in these appointments does not, therefore, arise.

CEYLON QUARANTINE REGULATIONS

1016. ***Mr. Vadilal Lalubhai:** Will the Secretary for Commonwealth Relations please state:

(a) the Ceylon Quarantine Regulations affecting passengers travelling from India to Ceylon via the Mandapam Camp;

(b) if it is a fact that according to these regulations, passengers are not allowed to land at Talaimannar in Ceylon, unless they produce a health certificate from the Ceylon Quarantine Medical Officer at the Mandapam Camp;

(c) in view of the fact that the Mandapam Camp is situated on Indian soil, if it is not possible for the Government of India to arrange for the examination, and for giving of health certificates through an Indian Quarantine Medical Officer;

(d) if it is a fact that, while higher class passengers holding certificates of vaccination from the Health Officer or a recognised Medical Officer are allowed to proceed without any kind of detention at the above Camp, third class passengers even though in possession of similar certificates are detained for a number of days; and

(e) whether the Government of India propose to investigate all such cases of discrimination against third class passengers and see that facilities to the passengers are available on a uniform basis?

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

Mr. E. N. Banerjee: (a) A statement placed on the table.

(b) Yes.

(c) Though situated in India, the Camp is owned, maintained and administered by the Ceylon Government. It would, therefore, be anomalous to seek to persuade the Ceylon Government to entrust this work to an Indian Quarantine Medical Officer.

(d) Yes; that is the prevailing practice. As first and second class passengers ordinarily live a more hygienic life and incur comparatively less risk of infection during the railway journey, the Medical Officer exercises his discretion in their favour.

(e) The matter is already under consideration.

Statement

A SUMMARY OF CEYLON QUARANTINE REGULATIONS AFFECTING PASSENGERS TRAVELLING FROM INDIA TO CEYLON VIA MANDAPAM (OR TUTICORIN).

(1) Passengers are not allowed to land at Talaimannar in Ceylon unless they produce a health certificate from the Ceylon Quarantine Medical Officer at Mandapam Camp.

(2) When the Indo-Ceylon Express halts at Mandapam (for 30 minutes) all 1st, 2nd and Inter Class passengers are examined by the Quarantine Medical Officer. A health certificate is issued to any passenger who satisfies the following conditions:—

(a) is healthy and has not been in contact with or exposed to infection from any case of plague, cholera or small pox;

(b) If the passenger—

(i) produces a certificate from a duly qualified medical practitioner of any country that the passenger has been vaccinated or re-vaccinated within the three years immediately preceding; or

(ii) bears scars of an attack of small-pox; or

(iii) subjects himself to vaccination; and

(c) if the passenger—

(i) holds a permit from the Chairman, Quarantine Committee, Colombo (permits are issued free of charge on application being made to the Chairman Quarantine Committee, through a resident of Ceylon); or

(ii) is about to embark on board a ship at Colombo, and produces proof of that fact to the satisfaction of the Medical officers; or

(iii) has satisfied the Medical Officer as to his usual place of residence in Ceylon and signed a declaration specifying such place of residence.

Provided that the Medical Officer may, before granting such health certificate, vaccinate any passenger who produces a certificate of vaccination referred to in clause (b) (i) or who bears scars of an attack of small-pox, in any case where the Medical Officer considers such vaccination to be desirable or necessary.

(3) Any passenger not provided with a quarantine permit or unable to satisfy the Medical Officer as to his place of residence in Ceylon, or fails to sign a declaration giving his place of residence in Ceylon, may at the discretion of the Medical Officer be granted a health certificate to land on making a cash deposit of Rs. 50 and giving a written undertaking to abide by the Quarantine Regulations while in Ceylon.

(4) Servants of 1st and 2nd class passengers may be passed at the discretion of the Medical Officer on the guarantee of their masters. Servants of those about to embark on ships at Colombo may be passed on the guarantee of their masters that they will report to the Assistant Port Health Officer for Immigration, Colombo, while in Colombo and will return to India immediately after their masters' departure.

(5) All other passengers will be required to undergo 5 clear days' quarantine at Mandapam Camp, at the end of which period they will be provided with a health pass which they should hand over to the Port Health Officer at Talaimannar and they would then be free to go where they like; but on the appearance of any illness within 10 days of arrival they should notify the nearest Government Medical Officer.

(6) Those holding permits but coming from infected areas may be detained at the discretion of the Medical Officer for disinfection, vaccination, and observation. Passengers are advised to arrive at the Camp by the morning Dhanushkodi Fast Passenger train so that they may undergo disinfection and vaccination if necessary and proceed to Ceylon the same day, if detention in Camp for observation is not found necessary.

(7) *Conditions to be fulfilled by the passengers on arrival in Ceylon*—Passengers on arrival in Ceylon have to report themselves to the Medical Officer of the district in which the passengers reside on the very day of arrival.

passengers reside on the very day of arrival, except on Sundays, and thereafter as directed by the said Officer, within their period of observation.

(8) 1st and 2nd class tourists who do not stay more than a week in Ceylon may, at the discretion of the Quarantine Medical Officer, be allowed to report to the Medical Officer of the place they visit on the day of arrival in Ceylon and to the Port Health Officer in Colombo, or to the Port Health Officer, Talaimannar, on departure from the Island. In the event of their falling sick during their stay such tourists should report forthwith to the nearest Government Medical Officer.

(9) The passing of passengers by the Medical authorities does not necessarily mean the free entry of these passengers to Ceylon as they still have to satisfy the Ceylon Police that they are not "destitutes".

Shri Sri Prakasa: With regard to part (c), are we to take it that the Ceylon Government functions on Indian soil so far as these camps are concerned and that they have full authority to do so?

Mr. E. N. Banerjee: The camp was acquired by the Ceylon Government in the regular way and the Government of Madras entered into an agreement some years ago under which the Ceylon Government administer this camp. I may also state for the information of the House that this arrangement is of much greater advantage to the large number of Indian emigrants who have to proceed to Ceylon because as Honourable Members can easily imagine, that it reduces the risk of hardships and disabilities of the emigrants.

Prof. N. G. Ranga: In view of the fact that a large number of Indian workers move between India and Ceylon, often more than twice a year, will Government consider the advisability of seeing that those who have been previously vaccinated are not troubled again for vaccination every time they go to Ceylon?

Mr. E. N. Banerjee: We will certainly consider the suggestion.

Shri Sri Prakasa: In view of the fact that third class passengers very often are far more healthy and hefty than the upper class passengers, who are usually anaemic—the Honourable Member apart—will the Honourable Member take steps towards removing this discrimination between First and Third class passengers?

Mr. E. N. Banerjee: As I said, the practice is based on the presumption that Third class passengers are more liable to infection in the course of the railway journey. But I would also add that owing to their being detained there for a few days all such passengers are quite free to move about on their arrival in Ceylon; but First and Second class passengers who are not detained have to remain under medical surveillance for nearly 12 days on arrival in Ceylon. So on the whole we feel that the present practice is perhaps in the interest of the Third class passengers. But, as I stated in reply to part (e) of the question, the whole matter is under examination.

Seth Govind Das: Is the Honourable Member aware that in spite of being vaccinated and the certificates of vaccination being produced, the Third class passengers when they enter the ships have to uncover their bodies and show whether they have been vaccinated or not?

Mr. E. N. Banerjee: I do not know.

Seth Govind Das: Will the Honourable Member make inquiries about this insulting behaviour towards the Third class passengers and see that it is not done?

Mr. E. N. Banerjee: Inquiries will be made, Sir.

Mr. Abdur Rahman Siddiqi: May I know if this arrangement is on an international basis or only on a Ceylon-India basis?

Mr. E. N. Banerjee: Does the Honourable Member refer to arrangements for examination made in India?

Mr. Abdur Rahman Siddiqi: I refer to anti-Indian arrangements for carrying diseases. I had to have four injections while going to America. When we go

to Haj there is a quarantine in Kamaran and we have to stay there for 24 hours and longer. What I wanted to know was whether this was of the same type or something special to Indians regarding Ceylon.

Mr. R. N. Banerjee: No, Sir: I believe it is in accordance with recognised international practice.

Mr. Manu Subedar: Do the Ceylon Government insist on this sort of thing with regard to every other national going there?

Mr. R. N. Banerjee: I think so, but I must admit that I have not examined that point specifically and would like to have notice.

Shri Sri Prakasa: In view of the Honourable Member's admission that passengers travelling Third class are more liable to infection, will the Honourable Member be pleased to make a representation to the railway authorities to improve their Third class carriages so that the risk of such infection may be eliminated?

(No reply was given.)

**ALLOCATION OF EXPENDITURE FOR EMPLOYMENT AND RE-SETTLEMENT
DIRECTORATE**

1017. *Mr. Vadilal Lalubhai: Will the Honourable the Labour Member please state:

- (a) the expenditure allocated for the Employment and Re-settlement Directorate, separately, as between the centre and regional centres;
- (b) the strength of the staff at these different centres;
- (c) the total number of ex-servicemen that have registered their names at these centres for employment; and
- (d) for how many of these ex-servicemen suitable alternative employment has been found by the Directorate?

The Honourable Dr. B. R. Ambedkar: (a) The question is not clear but presumably the Honourable Member wants to know the annual estimated expenditure on the Directional and Administrative staff of the Directorate-General of Resettlement and Employment during the year 1946-47. It is as follows:

Headquarter	.	.	.	.	.	.	Rs. 27,14,800
Regional Centres	.	.	.	.	.	.	Rs. 1,08,32,500
Total	.	.	.	.	.	.	Rs. 1,35,47,300

For details reference is invited to the Budget estimates for 1946-47. The expenditure on Regional and Sub-Regional Employment Exchanges will be shared between the Centre and Provinces in the proportion of 60 and 40 respectively.

(b) Detailed statements showing the number of posts sanctioned for the Central and Regional sections of the organisation and the number of posts filled so far are given at Appendix I to the Progress Report of the Directorate-General of Resettlement and Employment for the period 18th July to 31st December 1945, a copy of which has been placed in the Library of the House.

(c) The Employment Exchanges are responsible for the registration and placement of not only demobilised services personnel but also discharged war workers. The total number of persons registered at the Employment Exchanges and the Resettlement and Employment offices up to 31st December, 1945, was 50,658 out of which 29,925 were ex-Servicemen. It may be pointed out in this connection that the second phase of demobilisation started only on the 15th November, 1945. According to the forecast of Army Release nearly 15,00,000 persons will be demobilised up to end of March, 1947. It is difficult at this stage to estimate as how many out of these persons will require Resettlement and Employment assistance.

(d) The total number of persons placed in employment up to 31st December, 1945, by Employment Exchanges and Resettlement and Employment offices was 9,516. Out of these 2,841 were ex-servicemen.

IMPORT LICENCES FOR D. D. T. INSECTICIDE FROM UNITED STATES

1018. *Mr. Vadilal Lalubhai: Will the Honourable the Commerce Member please state:

(a) whether it is a fact that import licences and dollar exchange are not granted for the import of D.D.T. insecticide from the United States of America but imports are allowed only from the United Kingdom;

(b) whether he is aware that the price of D.D.T. as quoted by the United Kingdom suppliers is about three times the price quoted by the United States of America suppliers;

(c) whether he is aware that, as a result of the above, importers are obliged to import D.D.T. from the United Kingdom only at three times the price at which they could have obtained the same from the United States of America;

(d) whether he proposes to arrange to grant licences and dollar exchange for the import of D.D.T. from the United States of America which is the most effective insecticide and useful in removing the scourge of Malaria?

The Honourable Dr. Sir M. Azizul Huque: (a) No, Sir. It was originally intended to obtain our requirements of D. D. T. insecticide from the United Kingdom. But when it became evident that supplies from that source were not coming forward sufficiently freely it was decided to grant licences for imports from the United States of America and Switzerland also.

(b) According to the available information, the United States of America price is lower than the United Kingdom price but the disparity is not to the extent indicated by the Honourable Member.

(c) Does not arise.

(d) Licences are already being granted for imports of limited quantities from the United States of America.

Mr. Vadilal Lalubhai: Does the Honourable Member mean to say that there are no instances in which licenses for getting it from the U. S. A. have been refused?

The Honourable Dr. Sir M. Azizul Huque: Some must be refused because they are issued for limited quantities.

Mr. Vadilal Lalubhai: Will the Honourable Member see that this difference in prices is very great?

The Honourable Dr. Sir M. Azizul Huque: If the Honourable Member will supply me with all the information as to the exact nature of this complaint I shall certainly look into the matter.

Shri Mohan Lal Saksena: May I know what the actual disparity in prices is?

The Honourable Dr. Sir M. Azizul Huque: We have not got definite information to reply upon on the subject because the price of D. D. T. varies according to quality and the nature of the dilution. Whether there is exact counterpart of one with the other is a matter which can be explored after full inquiry as to the nature of the dilution and the quality of it, but we are told that roughly it varies between Rs.1/10 and Rs.2/3, depending on the quality and the nature.

Mr. Manu Subedar: Do I gather that in spite of the fact that the price is much cheaper in the U. S. A., just because purchases by India are to be confined to sterling areas sterling area licenses are freely given but U. S. A. licenses are restricted?

The Honourable Dr. Sir M. Azizul Huque: Here again is an example of my Honourable friend assuming a thing.

Mr. Manu Subedar: I am seeking information.

The Honourable Dr. Sir M. Azizul Huque: We are trying to get D. D. T. insecticide. After all war has just been over and we have been trying to get supplies. It was not available in other countries. As soon as we came to know that it was available, we issued licences. I have said that the price of

medical articles, as my Honourable friend will realize, always depends upon the quality.

Mr. Manu Subedar: The Honourable Member himself said in his previous reply that the number of licences given was limited and therefore some applications may have been refused. I want to know the reason why the number of licences given for import from the United States of America was restricted?

The Honourable Dr. Sir M. Azizul Huque: Obviously because we will have to consider not merely this article, but thousands of other articles which have to be brought from America, and certainly the balance of trade between the two countries and the dollar position are also the factors which have to be considered.

Mr. Vaddilal Lallubhai: I have got cables in my hand showing that the prices of articles in the United Kingdom are more than three times those in the United States

The Honourable Dr. Sir M. Azizul Huque: Unfortunately that cable is not in my possession, and even if it were, I do not know the nature of the two medical articles unless they are medically examined and proved that the quality of both the articles is exactly the same.

Mr. Vaddilal Lallubhai: The American quality is 'highest concentration - prepared to specifications'

Mr. President: Next question.

SUPPLY OF RUSSIAN RICE FOR INDIA

1019. *Prof. N. G. Ranga: (a) Will the Secretary for Food be pleased to state if it is a fact that Soviet Russia has had a good rice harvest this year?

(b) Whether Government has attempted to ascertain if Russia can spare any rice for us, and, if so, to what extent?

(c) Why do not Government attempt to send someone to Russia to negotiate for some supplies of rice from Russia in view of India's supplies of food products to Russia during the war and India's present dire need for food?

Mr. B. B. Sen: (a) Government have seen press report to the effect that Russia may prove to be a potential source of rice but have no information about the rice harvest this year.

(b) No, Sir.

(c) Sir A. Ramaswami Mudaliar, Government of India's representative on the United Nations Organisation has already made an appeal to all member nations including Russia to help India.

Prof. N. G. Ranga: Have Government made any direct contact at all with Soviet Russia's Government in regard to this particular matter? If not, why not?

Mr. B. B. Sen: Any formal approach in this matter has to be made through His Majesty's Government.

Prof. N. G. Ranga: Will Government consider the advisability of taking advantage of that particular channel and making direct contact with Soviet Russia's Government in regard to this matter?

Mr. B. B. Sen: The Government of India have placed full information about the food position in India before His Majesty's Government, and if there is any possibility of getting anything from Russia, I have no doubt that His Majesty's Government will try and get it.

Prof. N. G. Ranga: This is another case of extraordinary sense of responsibility that this Government has been displaying.

Mr. President: Order, order. The Honourable Member will put his question, and ask for information.

Prof. N. G. Ranga: My point is this: It is not the primary responsibility of the British Government to make direct contacts in regard to India; but is

it not the primary responsibility of the Government of India to take the initiative and approach the British Government in regard to this specific matter and ask them to make an approach to Soviet Russia's Government?

Mr. President: That question has been answered. The Honourable Member has already said that the procedure is to approach through His Majesty's Government, and the Government of India have placed all the facts before His Majesty's Government. What further question does the Honourable Member wish to ask?

Prof. N. G. Ranga: My submission is this: They have not stated that the British Government has been asked to approach the Soviet Russia Government with this particular request. They have only stated that they have placed all the facts before the British Government.

Mr. President: Has any specific request been made to the British Government with regard to this?

Mr. B. E. Sen: No specific request has been made. An appeal has been made by our representative on the United Nations Organisation to all countries and especially to Russia to help India.

Prof. N. G. Ranga: What objection have the Government of India today to make this specific request to the British Government in order to approach the Soviet Russia Government?

Mr. B. E. Sen: We have no objection whatever, but we think that the best course is for us to approach His Majesty's Government to find out where the surplus lies.

Mr. Manu Subedar: Whatever may be normal procedure in regard to communications with foreign Governments, having regard to the fact that His Excellency the Viceroy is moving heavens and earth and that a very special emergency has now arisen in this country over the food question, will not the Government of India, if necessary with the sanction of His Majesty's Government whose subordinate they are, now depute a man with full powers to talk directly with Russia over the issue and find out as to whether some surplus cannot be given to India?

Mr. B. E. Sen: In view of the opinion expressed in the House, I propose to bring this to the notice of His Majesty's Government for any special action that they can take.

Mr. Abdur Rahman Siddiqi: Will the Honourable Member

Mr. President: Order, order. Next question.

Mr. Abdur Rahman Siddiqi: I had rather an important question to ask.

ARREST AND DETENTION OF INDIAN MERCHANTS IN HONG KONG

1020. ***Shri Mohan Lal Saksena:** (a) Will the Secretary for Commonwealth Relations be pleased to state: if it is a fact that some Indian merchants were arrested in Hong Kong by the Allied Occupation Forces when they took over Hong Kong from the Japanese?

(b) Is it also a fact that these Indian merchants are still being detained? If so, why?

(c) What is the number of merchants so detained?

(d) Is it a fact that Sardar Sampooran Singh Dhillon is one of the merchants now being kept under detention?

Mr. R. N. Banerjee: (a) Yes.

(b) and (c). Five Indian merchants were arrested on suspicion of having adhered to or assisted the Japanese or been partly to activities prejudicial to the allied cause or of having committed offences against defence regulations or serious offences under the penal code. Of the two still in detention, one is charged with giving information about other Indians and taking part in the torture of Indians arrested by the Japanese. The other is detained as an informer.

(d) No.

Shri Sri Prakasa: May I know the exact difference between these merchants helping the Japanese when Japanese were in possession of that place and those of our country men in India who help the British who have occupied this country?

Mr. R. N. Banerjee: Sir, it does not arise out of this question.

Diwan Chaman Lall: May I ask what specific charges have been made against these gentlemen and under what law? Whether they have been tried under Court Martial Regulations, under the Indian Army Act, or any other Regulations? What is the exact position, and may I know whether the Honourable Member is prepared to place all those charge sheets on the table of the House?

Mr. R. N. Banerjee: I have given full details of the charges on which they have been arrested in my reply to parts (b) and (c) of the question, and I regret I have no further details to give now.

Diwan Chaman Lall: Does my Honourable friend realize that the details he has given are of the nature—serious charges covered by the Indian Penal Code—which may mean anything. I am asking my Honourable friend if he is not prepared to place on the table of the House the detailed charges that have been made against these men?

Mr. R. N. Banerjee: I shall try to obtain the information.

Diwan Chaman Lall: How far has the matter proceeded?

Mr. President: Are they being tried?

Mr. R. N. Banerjee: Two only are held in detention and, I believe, the trial is proceeding, but I shall try to obtain further information.

Diwan Chaman Lall: May I ask my Honourable friend why, when the question has been tabled and my Honourable friend comes before the House, has he not obtained all this information already?

Mr. R. N. Banerjee: This is all the information that we have been able to obtain, Sir, as a result of the efforts we have made so far.

CONTRACT WORKS TO MUSLIMS AND NON-MUSLIMS BY CENTRAL P. W. D.

1021. ***Seth Yusuf Abdoola Haroon:** Will the Honourable the Labour Member kindly place on the table of the House a comparative statement showing the amount of contract works given by tenders and by work orders, separately, to Muslim and Non-Muslim contractors in the Construction Division No. III, New Delhi 'A' Division, New Delhi 'B' Division, Provincial Division and Special Division No. I, of the Central Public Works Department in New Delhi, during the last three years by the present Executive Engineers, or by their predecessors?

The Honourable Dr. B. R. Ambedkar: The information asked for is not readily available and the time and labour involved in collecting it would be incommensurate with the value of the result.

Seth Yusuf Abdoola Haroon: May I know from the Honourable Member why is he not prepared to reveal this information. I have definite information that the contracts given to Mussalman in this Branch were very low.

The Honourable Dr. B. R. Ambedkar: If my Honourable friend has the information, I do not know why he is troubling me.

Seth Yusuf Abdoola Haroon: I am troubling the Honourable Member because our cause is being hit and Muslims are being ignored by the Honourable Member's Department, and I want to reveal that case on the floor of the House.

The Honourable Dr. B. R. Ambedkar: I have nothing to add to the reply I have given.

Seth Yusuf Abdoola Haroon: Will the Honourable Member see his way to place this information on the table of the House at a later stage?

The Honourable Dr. B. R. Ambedkar: I cannot do it.

Shri baji Prakasa: Has the Honourable Member lost his temper?

Mr. President: Order, order. Next question

SUBSIDY FOR SINKING AND REPAIRING OF WELLS

†1022. ***Prof. N. G. Ranga:** Will the Agriculture Secretary be pleased to state:

(a) if Government are prepared to subsidise the sinking and constructing or repairing of wells and tanks owned by peasants or groups of peasants in order to encourage them to increase the area under protected water supply; and

(b) whether Government are prepared to encourage Provincial Governments to follow the example of the Bombay Government which has decided to give a subsidy of Rs. 14 per every acre which is brought under protected irrigation through well or tank water?

Sir Pheroze Kharegat: (a) Yes. The Government of India are already sharing with Provincial Governments the cost of subsidising the construction of and repairs to wells, tanks and other minor irrigation works up to a maximum of 50 per cent. of the cost of construction.

(b) Yes. The Provincial Governments have been requested to take steps on similar lines suited to their local conditions.

DESTRUCTION OF FOODGRAINS UNFIT FOR HUMAN CONSUMPTION

1023. ***Mr. B. B. Varma:** Will the Food Secretary be pleased to state:

(a) how many tons of foodgrains—rice, wheat, flour and pulses were destroyed during the years 1943, 1944 and 1945 in the centrally administered areas and Provinces particularly in Bihar;

(b) who is responsible for not protecting them from destruction before they were found unfit for human consumption and ultimately thrown away;

(c) how many tons were eaten by insects; and

(d) how many tons were destroyed by bad storage method?

Mr. B. E. Sen: (a) A statement giving the information, except in respect of Bengal, which has not yet been received, is laid on the table of the House.

(b) The damage in the case of imported wheat, received in bulk from overseas, was due to contact with salt water or due to natural heating while in ship-holds. The stocks of Nepal rice/paddy were damaged by rain while in the purchasing agent's custody.

(c) and (d). Losses by insect infestation and other causes cannot be calculated with any degree of accuracy.

Statement showing the quantities of rice, wheat, flour and pulses in the custody of the Government of India and in the Provinces destroyed during the year 1943-44 and 1945.

	Quantity of foodgrains destroyed (In tons)				Responsibility for not protecting them from destruction
	Rice	Wheat	Flour	Pulses	
Stocks in Government of India custody.		712.03			Losses during voy- age of imported wheat.
Stocks in Provinces— Delhi .			108 (atta)		Delhi Grain Syndi- cate.

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

	Quantity of foodgrains destroyed (In tons)				Responsibility for not protecting them from destruction
	Rice	Wheat	Flour	Pulses	
Stocks in Provinces— <i>contd.</i>					
Ajmer-Merwara . . .	...		...
Baluchistan . . .			...	...
Coorg . . .	...	...		...
Bihar . . .	1835.6	22		93	Purchasing Agents of Central Govern- ment for Nepal rice res- ponsible for loss of 1246.6 tons of rice.
Orissa . . .	...		12 (atta)		Wagon went astary and consignment received in damaged condi- tion.
C. P. and Berar . . .	78.5	...	0.5	...	
Madras . . .	68	...	52	99 (gram)	Rice damaged due to floods. In other cases de- teriorated stock was received from other Pro- vinces.
Bombay . . .	...	...	
Sind . . .	275	2,224		..	Hyderabad Co- operative So- ciety. Loss of 39 tons due to fire and of 2460 tons due to rain.
N. W. F. P. . . .		1		...	Received in condi- tion unfit for consumption.
Punjab . . .	...	...		...
United Provinces	51.6	282		...	Loss of 26 tons rice and 273 tons wheat due to sudden floods in Benares. Purchasing Agents of the Central Govern- ment for Nepal rice responsible for loss of 19.9 tons of rice.
Assam . . .	4.68		63.57	236	Losses attributable to normal wast- age.

NOTE—Figures in respect of Bengal have been called for.

Prof. N. G. Ranga: May I know what steps are being taken to prevent these losses or to minimise these losses?

Mr. B. E. Sen: Various administrative measures have been and are being taken to reduce the losses in food-grains.

(b) WRITTEN ANSWERS

PROVISION OF A PUBLIC LIBRARY IN DELHI

1024. *Choudhury Md. Abid Hussain: (a) Will the Education Secretary please consider the desirability of providing at Government cost a public library in Delhi on the lines of the Imperial Library of Calcutta?

(b) How is it that Delhi, being an Imperial city, has no Imperial Library?

Dr. D. M. Sen: (a) and (b). The question of establishing a Central Library in New Delhi is at present engaging the attention of the Government of India.

FACILITIES FOR TRAINING WOMEN TEACHERS IN AJMER-MERWARA

1025. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Education Secretary please state if Government are aware that the Women's Vernacular Teachers' Training School at Ajmer is not sufficient to cope with the growing demands for trained Women Teachers for Primary Girls' Schools in Ajmer-Merwara, and that there are no arrangements for training women teachers (Matriculates and Intermediates) for Middle Schools?

(b) If so, will Government consider the advisability of making necessary arrangements from July, 1946?

(c) If no such arrangements can be made, do Government propose to consider the advisability of converting the Government Central Girls' High School into a Training institute, particularly because the latter has only fifth to tenth classes and the number of pupils in those classes can be easily absorbed in the other three recognised High Schools and Intermediate Colleges, some of which have a very small number of pupils in the High School classes, and all are ready to take more pupils?

Dr. D. M. Sen: (a) and (b). No. The school is training a sufficient number of girls every year to meet the present needs of both primary and middle schools for girls. For additional needs of the post-war period, necessary provision is being made in the Development Scheme.

(c) Does not arise.

UN-QUALIFIED TEACHERS IN GOVERNMENT CENTRAL GIRLS HIGH SCHOOL,
AJMER

1026. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Education Secretary please state if Government are aware that most of the staff in the Government Central Girls' High School, Ajmer, do not possess the minimum qualifications laid down by the Board of High School and Inter Education, and are teaching subjects which according to the Board's rule they are not qualified to teach?

(b) If so, why were such unqualified teachers taken in, and what steps do Government propose to take in order to improve the present conditions?

Dr. D. M. Sen: (a) No, Sir. The staff all possess the prescribed qualifications.

(b) Does not arise.

COMPLAINTS AGAINST DISTRICT INSPECTOR OF SCHOOLS, AJMER-MERWARA

1027. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Education Secretary please state if it is a fact that the post of the District Inspector of Schools, Ajmer-Merwara is borne on the cadre of the other gazetted appointments in the Education Department?

(b) Is it a fact that the present incumbent of the post has been holding this appointment for the last thirteen years?

(c) Are Government aware that a number of complaints of nepotism and favouritism have been received against him by the Local Government from many vernacular teachers? If so, what action has so far been taken on those complaints?

(d) Do Government propose to consider the advisability of transferring the present District Inspector of Schools to some other post on the cadre?

Dr. D. M. Sen: (a) Yes, Sir.

(b) Yes, Sir. This is the only post of Inspector borne on the cadre.

(c) No, Sir, but if the Honourable Member can supply me with information on this point, I shall be glad to take the matter up with the Local Administration.

(d) As the post of the District Inspector of Schools is the only Class II post on the inspectorate side, it has not been considered desirable to transfer the only experienced inspector available to a post on the teaching side

UNSTARRED QUESTION AND ANSWER

RESTRICTIONS ON DOMESTIC CONSUMPTION OF ELECTRICITY

138. Prof. N. G. Ranga: Will the Honourable the Labour Member be pleased to state:

(a) if Government have issued a press communique that restrictions regarding domestic consumption of electricity ought to be relaxed, in view of the end of the war;

(b) whether they are aware that the Government of Madras has not given any effect in the Madras city to their order; and

(c) what action Government propose to take to see that Provincial Governments implement their advice?

The Honourable Dr. B. E. Ambedkar: (a) No. Provinces were, however, advised to sanction at their discretion new "domestic" connections to the extent of the monthly quota fixed for various supply undertakings and having regard to (i) the margin of generating plant available, (ii) the fuel position and (iii) the financial position of each undertaking.

(b) Government are aware that the Madras Government have not accepted this advice in regard to Madras City.

(c) Government do not consider it necessary to take any further action as their advice was conditional.

SHORT NOTICE QUESTIONS AND ANSWERS

BAGHAULI TRAIN DISASTER

Shri Mohan Lal Saxena: (a) Will the Honourable the Railway Member be pleased to state what further information he has received in connection with Baghauli Train Disaster regarding—(i) the number of persons killed, (ii) the number of persons injured, and (iii) the total value of passengers' property damaged or lost?

(b) Is it a fact that the first relief train from Lucknow arrived after 11 A.M. about six hours after the accident—and returned to Lucknow at about 3-30 P.M.?

(c) Is it also a fact that the relief train did not have proper equipment and sufficient nurses for taking the seriously injured persons and that most of them were placed on bare third class berths? Is it not a fact that Lt.-Col. Hassan and other passengers were not provided with even water notwithstanding repeated requests therefor?

(d) What steps were taken to dig out and extricate the passengers from wreckage?

(e) Is it not a fact that, but for the efforts by stray passengers, no organised effort was made by the authorities to take them out?

(f) Is it not a fact that a troops special was standing at the station and departed only at about 9 A.M.? If so, why was their help not taken?

(g) Is it not a fact that Prof. Shatir of Meerut and many others were extricated about five hours after the accident? Is it not also a fact that his son aged 12 did not have any signs of injury and was found to have died of suffocation?

The Honourable Sir Edward Benthall: (a) The latest information which I hope when the lists are finally checked will prove to be maximum figures, is: Killed 48: Injured 75.

Of the injured 35 were admitted into hospital at Lucknow and Hardoi, two of the latter being subsequently transferred to hospital in Moradabad. The balance consists of those who left hospital for their homes after treatment and of those who received first aid at the site and proceeded to their destinations.

I understand the 22 cases in King George's Hospital at Lucknow are progressing satisfactorily but 3 out of the 8 remaining at Hardoi Hospital were a few days ago still in a dangerous condition.

I have no information regarding the value of the property of passengers which has been damaged or lost, but the Railway are making special enquiries.

(b) An extemporised relief train arrived at Baghaulti at 7-45 hours; the relief train from Rosa reached Baghaulti at 10-12 hours and the relief train from Lucknow arrived also at 10-12 hours. The relief train from Lucknow was thus not the first to arrive at the scene of accident. A special train was formed which took the casualties to Lucknow and left Baghaulti at 13-25 hours.

(c) The relief train from Lucknow was fully equipped medically. The District Medical Officer, three of his assistants and other medical staff accompanied this train, but there were no nurses. The carriages which were brought from Lucknow for the evacuation of casualties were two III class bogies, as they were the most readily available; the casualties were therefore sent to Lucknow in these carriages. The reply to the second part of the question is in the negative; my information is that tea was served to the injured under the instructions of the Chief Medical Officer who was attending to the casualties.

(d) Soon after the accident the Assistant Executive Engineer (Construction) who with some construction staff was encamped at Baghaulti commenced rescue operations and about 7-40 the Train Examining Staff arrived from Balamau and assisted. About 8-20 the Executive Engineer from Hardoi, with a large gang of labourers, also joined in the rescue. Rescue operations were intensified with the arrival of relief trains and the extrication of the injured and dead was the first task to which all staff applied themselves.

(e) The reply is in the negative; but the Administration gratefully acknowledges the help received in the rescue operations from passengers, parties of whom were organised by public spirited persons amongst them, including Government officials.

(f) The answer to the first part is in the negative; the second part does not arise.

(g) I am satisfied that there was no delay in extricating passengers. It must be realised, however, that the extrication of the injured from under the debris of an accident of this kind must necessarily be a slow process as care must be taken to ensure that the persons concerned do not suffer further injuries while being taken out. A considerable time may indeed elapse in getting at persons who are trapped in the thick of the wreckage and whose extrication may not be physically possible until the debris is lifted by means of cranes. I have no information as to when Prof. Shatir was extricated. As

regards the second part, I understand that the Surgeon in Charge, King George's Hospital, Lucknow, informed the General Manager, E. I. Railway, that the body of Mr. Shatir's son had no external signs of fatal injuries. I am not aware that suffocation was established as the cause of his death.

Shri Mohan Lal Saksena: May I know how many persons are still untraced?

The Honourable Sir Edward Benthall: None, so far as I am aware.

Shri Mohan Lal Saksena: With reference to part (c) of the question, may I inform the Honourable Member that Col. Hassan himself told me that he was asking for water which was not supplied and he was told every time that he would be given water at Lucknow station?

The Honourable Sir Edward Benthall: That is not my information. The injured in hospital were visited by the General Manager, the Chief Operating Superintendent and, I think, the Chief Medical Officer, and no complaints were registered. Therefore I think the Honourable Member's suggestion is probably unfounded.

Shri Mohan Lal Saksena: Will the Honourable Member write to Col. Hassan and ascertain the facts?

The Honourable Sir Edward Benthall: I would point out that these questions concerning proper medical attention are the subject of specific enquiry by the Government Inspector of Railways.

Shri Mohan Lal Saksena: Is it not a fact that Col. Hassan had come down to Delhi to attend some Government Committee meeting and he was on his way back and, if so, is it not the duty of the Government to ascertain from him what happened to him on his way back?

The Honourable Sir Edward Benthall: Government have to look after all passengers.

Shri Mohan Lal Saksena: Will the Honourable Member also ask from Col. Hassan whether he was taken in a bare third class bogie in a wounded condition and not even blankets were placed on him?

The Honourable Sir Edward Benthall: The carriages most readily available were third class carriages and those were put on the train. They were the only ones readily handy.

Shri Mohan Lal Saksena: Am I to understand that there were no arrangements kept ready for such accidents?

The Honourable Sir Edward Benthall: These were extra coaches. In view of the seriousness of the accident, the ordinary arrangements were not sufficient to deal with the large number of cases which was reported.

Mr. Manu Subedar: May I know whether the enquiry by the Senior Government Inspector which was to take place on the 8th and 9th is over, whether his report has been received and, if so, what is the finding as to the cause of the accident?

The Honourable Sir Edward Benthall: That question should be addressed to the Posts and Air Department.

Shri Mohan Lal Saksena: With reference to part (g) of the question, will the Honourable Member ascertain from Prof. Shatir himself, who is in the Lucknow Medical College and whom I saw, whether he was calling for help for five hours, that his son was crying for help and that nobody came to their rescue till five or six hours later?

The Honourable Sir Edward Benthall: As I have explained, he may have been in an inextricable position and it may not have been possible to remove him until the debris was lifted.

Shri Mohan Lal Saksena: When efforts were being made to extricate him is it not a fact that this gentleman was crying all the time and nearly four or five hours were wasted?

The Honourable Sir Edward Benthall: No, Sir. If the Honourable Member will study the reply to part (d) of the question, he will see that there was an Assistant Executive Engineer on the spot who with some construction staff began rescue operations immediately and at 7-40 further Train Examining Staff arrived and at 8-20 the Executive Engineer from Hardoi with a large gang of labourers also joined in the rescue. It is possible that this particular gentleman was in an inextricable position.

Mr. K. C. Neogy: Do I take it that the statement made by the Honourable Member is based upon a departmental enquiry on behalf of the Railway Administration, independently of the statutory enquiry that is taking place conducted by the Senior Government Inspector, and if that be so, will the Honourable Member be pleased to state which officer actually was engaged in making this departmental enquiry?

The Honourable Sir Edward Benthall: I have had a number of reports, from the two divisional superintendents who were present, from the Chief Medical Officer who was present from the start, and from the General Manager, and I had telephonic communications from the Chief Operating Superintendent. It is on those that my information is largely based.

Mr. K. C. Neogy: Was it a kind of committee of these officials that went into all these facts or was it their disjointed reports that reached the Honourable Member?

The Honourable Sir Edward Benthall: They were received at various stages: for instance, the Chief Medical Officer submitted his report—he was there actually on the train. He submitted one report of what his experience was. The divisional superintendents submitted reports at two different stages and so on.

Mr. K. C. Neogy: As the Honourable Member representing the Posts and Air Department is present in this House, may I know from him whether the report of the Inspector of Railways on this subject has been received as yet?

The Honourable Sir Edward Benthall: I think it is usual to address the questions to one Member; but there is a question down about the inquiry, to be reached in a few minutes.

Shri Mohan Lal Saksena: With reference to part (f), am I to understand that there was no special military train at Baghauli station that morning?

The Honourable Sir Edward Benthall: That is quite incorrect. There were some soldiers in this train, but there was no special military train. On the third line there was a pilot train.

Shri Mohan Lal Saksena: May I inform the Honourable Member that while I was going back to Lucknow I met one of the male nurses on my way, who was travelling in the train, and I was informed that this military train starting from Phaphund a station in Bihar and bound for Ferozepur, was there at the station. I could not see the doctor—he was also going to Lucknow; and he told me this. I would like the Honourable Member to make inquiries again, whether there was a military special at that time standing at the Baghauli railway station when this accident took place.

The Honourable Sir Edward Benthall: Yes; there was a train; it was a pilot train standing on the third line, but I am told that it was not a troop train.

Shri Mohan Lal Saksena: How many passengers were there in that pilot train?

The Honourable Sir Edward Benthall: I am not aware that there were any at all.

Shri Mohan Lal Saksena: May I know why help was not given by the soldiers who were in the train?

The Honourable Sir Edward Benthall: There was a large number of passengers on the train itself, many of whom gave assistance; there was also

a crowd of one or two thousand persons, bystanders, who crowded round to see what has happening and considerably impeded the operations of rescue. As far as I am aware there was no military train: the only military personnel present were certain passengers on the wrecked train.

Shri Mohan Lal Saksena: Who were the passengers on the pilot train? Were they not persons travelling from Bihar to Ferozepur—more than a hundred soldiers, either discharged or going to be discharged, who were there and whose help could have been taken and was not taken?

The Honourable Sir Edward Benthall: I will read out my information from the Chief Medical Officer's Report:

"There were many I.O.R's. on the train but they were not conversant with first aid. They confined their energies to occasionally removing the injured from the wreckage, but when asked if they could render first aid, some said they did not know and others ignored the request. It must be remembered that from the very beginning the station was crowded with passengers and spectators, rendering the task of everyone very difficult."

Shri Mohan Lal Saksena: I only wanted to know one thing; even if they could not render medical help, why were they not deputed to see that no property was removed. These soldiers were there and their help could have been taken and outsiders could have been prevented from coming and taking away or looting these passengers?

The Honourable Sir Edward Benthall: Those steps were taken by the local chaukidari police.

HELP BY RAILWAY AUTHORITIES TO RELATIONS OF THE KILLED IN DISPOSAL OF DEAD BODIES

Shri Mohan Lal Saksena: (a) Has the Honourable the Railway Member ascertained what help, if any, was rendered by the Railway authorities to the relations of the killed in the disposal of dead bodies?

(b) Has he seen the statement of the Chairman, Lucknow Municipal Board, deprecating the callous attitude of the authorities in this respect, published in the *Pioneer* of the 6th March, 1946, (Lucknow edition)? If so, did he make any enquiries in the matter? If so, with what results?

The Honourable Sir Edward Benthall: (a) the arrangements for the disposal of the dead bodies were in the hands of the Railway Police. Both they and the railway staff afforded all the assistance possible to the relations of the killed when they were identified.

(b) I have not yet seen the statement referred to, but have sent for a copy.

I should add that I am satisfied that the authorities in charge handled the disaster with promptness and sympathy, but, as the investigation of this aspect of the case is a specific charge of the Government Inspector, I have no doubt that he will report on this matter as the result of his enquiry.

Shri Mohan Lal Saksena: Am I to understand that the reports appearing in the Press in connection with the accident were not cut and placed before the Honourable Member?

The Honourable Sir Edward Benthall: Yes; I have received a large number of reports; but I do not happen to have received yet the report of the Lucknow edition of the *Pioneer* of that particular date.

Mr. Muhammad Nauman: May I know whether in the disposal of the dead bodies of Muslims, the police authorities took the help of the local people there?

The Honourable Sir Edward Benthall: Yes; they apparently took the help of the local Muslim League; and in that connection there was an accident in that one Hindu body was mixed up with the Muslim bodies: subsequently that matter was rectified.

ENQUIRY INTO BAGHAULI TRAIN DISASTER

Shri Mohan Lal Saksena: (a) Will the Secretary for Posts and Air please state if it is a fact that the Government enquiry into the Baghauli train disaster is being held by the Inspector of Railways?

(b) Is it also a fact that the representatives of the Press have not been allowed to be present at this enquiry? If so, why?

(c) Will Government consider the advisability of issuing instructions that Press representatives and other members of the public should be allowed to be present at the enquiry?

Sir Gurunath Bewoor: (a) Yes.

(b) Yes. The Press is excluded from the enquiry because the evidence recorded by the Government Inspector of Railways is not taken on oath or affirmation; and on the evidence he records, he has to decide the cause of accident and judge the responsibility, if any, of Railway servants, etc., for the accident. As his conclusions might lead to prosecution in criminal courts, a public hearing of witnesses might prejudice the prosecution or defence in subsequent judicial proceedings.

(c) Government do not propose issuing instructions to the effect that Press representatives should be allowed to be present in the enquiry for the reasons, stated in reply to part (b). The public is, however, notified and individuals can come forward and give evidence.

Mr. Manu Subedar: Has the report been submitted already, and if not, when do Government expect that report and when will it be made public?

Sir Gurunath Bewoor: I am expecting a report any day, but as I stated the other day that report would be a preliminary report, giving purely the facts ascertained. I have promised that I will make the report available to the Members of the House.

Mr. Manu Subedar: When shall we know the precise causes as far as they could be ascertained of this accident, so that we can press on Government the remedial measures to avoid such accidents in future?

Sir Gurunath Bewoor: That report will be expedited as quickly as possible. The House will understand that the Inspector may have certain technical examinations to be done: the inspectors have orders to complete their inquiries as soon as possible.

Mr. K. O. Neogy: Do I take it that the enquiry by the inspector is of the nature of a confidential inquiry and that members of the public have no right to be present at such inquiries apart from those who may be in a position to give evidence bearing upon the accident?

Sir Gurunath Bewoor: Yes; this question of admitting the public was carefully examined last year, and it was decided that in view of the subsequent judicial proceedings that may come, it was inadvisable that the statements of witnesses should be taken in the presence of the public or be made available to the Press. I may add that in the United Kingdom the same is the position. The inquiry by the Government Inspector is not open to the public.

Mr. K. O. Neogy: Is a full and verbatim report of the evidence tendered before the Inspector kept and is that sent to the Honourable Member's Department as part of the report?

Sir Gurunath Bewoor: Yes, Sir.

Shri Mohan Lal Saksena: Is it in the nature of a police inquiry or a magisterial inquiry?

Sir Gurunath Bewoor: It is not a magisterial inquiry at all.

Shri Mohan Lal Saksena: Then it is like a police inquiry which inquires into the incidents and compiles facts?

Sri M. Ananthasayanam Ayyangar: Not even a police inquiry.

Sir Gurunath Bewoor: It is neither a police inquiry nor a magisterial inquiry. It is in the nature of a statutory inquiry into the causes of the accident.

Seth Govind Das: Then, what is the nature of the inquiry?

Sir Gurunath Bewoor: It is of the nature of a railway inquiry.

Mr. Manu Subedar: Is it the same set of officials who will make the preliminary report who will also give the final report, giving the causes of the accident?

Sir Gurunath Bewoor: Yes, Sir. It is the same Inspector who sends in a preliminary report first for the information of Government and then he makes his full report, which includes what he has stated in the preliminary report. The final report is the real report of the Inspector.

Mr. Manu Subedar: What is the usual interval between the preliminary and the final report?

Sir Gurunath Bewoor: It depends on the nature of the inquiry. Sometimes the Inspector has to have investigations made but generally it is about two months. It varies very much. If it is a simple case, it is finished much quicker than otherwise.

Mr. Muhammad Nauman: May I know if that report is final and the Chief Inspector or any other official would not examine it?

Sir Gurunath Bewoor: The report is the report of the Inspector. It is submitted to Government through the Chief Government Inspector who forwards it with his remarks as to whether he agrees with the report or whether he has any comments to offer, in which case there is a further discussion between the Government Inspector and the Chief Government Inspector.

Sri M. Ananthasayanam Ayyangar: May I know if the object of the inquiry is to ascertain the cause of the accident and also to find out if the Railway Administration is liable to pay any compensation and if so how much?

Sir Gurunath Bewoor: The latter is not the object of the inquiry.

Sri M. Ananthasayanam Ayyangar: Then is it confined purely to the cause of the accident?

Sir Gurunath Bewoor: Yes, Sir.

Shri Mohan Lal Saksena: What about the relief rendered?

Sir Gurunath Bewoor: That is part of the inquiry.

Shri Mohan Lal Saksena: Is there any other inquiry, magisterial or otherwise?

Sir Gurunath Bewoor: There is no bar to a magisterial inquiry being held, if the local district authorities desire to do so.

Shri Mohan Lal Saksena: Will the statements made before the Inspector be recorded *verbatim*?

Sir Gurunath Bewoor: Yes, Sir. They are recorded by the Inspector himself and they are I believe signed by the witnesses but I am not sure.

Lt.-Col. Dr. J. C. Chatterjee: If the Provincial Government orders an inquiry, will the report of the Government Inspector be made available to the inquiring officer appointed by the Local Government?

Sir Gurunath Bewoor: I am not sure of that. I think the magisterial inquiry is independent of the Government Inspector's inquiry.

Lt.-Col. Dr. J. C. Chatterjee: Suppose the Provincial Government appointed a committee as in the case of the Bhita inquiry, where they appointed a judge to inquire into the causes of the accident. Suppose the Provincial Government establish a tribunal of that kind. Will the report of the Railway Inspector be made available to that tribunal?

Sir Gurunath Bewoor: I think this is somewhat hypothetical. In any case I shall want notice.

Shri Mohan Lal Saksena: Will the proceedings of the inquiry committee and the evidence recorded be available to the magisterial inquiry or any other inquiry that might be held?

Sir Gurnath Bewoor: I shall have to inquire into the legal position. The magisterial inquiry can be held quite independently. The Government Inspector's report is ultimately published.

Lt.-Col. Dr. J. C. Chatterjee: What is the exact value of the report if it is not made available to the magistrate?

Shri Mohan Lal Saksena: It is only a white washing inquiry.

STRIKE IN INDIAN SIGNAL CORPS, JUBBULPORE

Seth Govind Das: Will the War Secretary kindly state:

(a) the number of people involved in the strike at Jubbulpore in the Indian Signal Corps;

(b) the number of persons under arrest;

(c) whether there was any firing ordered, and whether there was also a bayonet charge;

(d) the number of people wounded and the number of the people who died;

(e) the number of people who are likely to be court martialed;

(f) what sort of an enquiry is going to be held, and who will constitute the enquiry; and

(g) whether the Government of India will kindly consider the desirability of associating members of non-official public with this enquiry?

Mr. P. Mason: (a) The total number of people involved in the mutiny at Jubbulpore in the Indian Signal Corps was 1,716, of whom 950 were involved for one afternoon only and another 410 were only very slightly involved.

(b) The number of persons now under arrest is 55. The rest are all back at work.

(c) No firing was ordered, nor did any firing take place. There was no bayonet charge, and I should here explain, since there seems to be some misunderstanding of the term that a bayonet charge is something essentially offensive, not defensive. What did happen was that troops were ordered to arrest certain individuals from among the mutineers with whom they had to get at close quarters. In order to avoid firing, which would have caused much more serious injuries, bayonets were fixed. There was, as I have said, no charge, but some of the Signal Corps men attempted to overpower the troops and were wounded.

(d) 35 persons were wounded and were admitted to hospital, of whom 8 had bayonet wounds and the remainder had minor injuries from barbed wire or from contusions. Two persons were seriously injured. No one has died.

(e) It is difficult to make an estimate of the numbers likely to be Court Martialed. It is the intention to bring to trial only the Ring-leaders, and a preliminary examination of the evidence has placed between 20 and 30 men in this category, but it is the policy to reduce the number as much as possible, and the evidence is still being examined. The number actually brought to trial may be considerably less than this.

(f) and (g). Courts of Enquiry are in progress and Courts Martial may be held in due course. I do not think it would be advisable to associate non-officials with service enquiries of this nature.

Seth Govind Das: Is it a fact that before this strike the strikers placed certain demands before the authorities for consideration?

Mr. P. Mason: I think not.

Seth Govind Das: Did they make any representation on this subject to the authorities?

Mr. P. Mason: No, Sir. I think the first thing that happened was they refused duty.

Seth Govind Das: Does the Honourable Member know that the Deputy Commissioner of Jubbulpore, a European official himself, has issued a statement saying that these people demanded certain things from the military authorities.

Mr. P. Mason: I had a long letter from the Deputy Commissioner. My impression was—I have not got the letter with me—he did not make any such allegation.

Seth Govind Das: Did the Deputy Commissioner himself state that these soldiers who struck work were all along peaceful?

Mr. P. Mason: Their movements in the town were certainly peaceful.

Seth Govind Das: Why were these bayonet and other charges made on them?

Mr. P. Mason: I have already explained what a bayonet charge is and I would like to make that clear again because there seems to be some misunderstanding about it. What a bayonet charge means is that a number of men hold rifles with fixed bayonets in their hands and run in the direction of their enemy with the object of driving their bayonets into them. During the whole proceedings in the town of Jubbulpore there was no violence used, but later on when these men were back in barracks, it became necessary to divide the leaders from the others. As they refused to obey the orders, a guard was ordered to divide the leaders from the others. In order that there should be no need to fire, which would have caused much more serious injuries, the guard was told to fix bayonets. The men were then separated from the remainder of the troops in Jubbulpore who were continuing their duty, but those who had taken part in this demonstration at the time did try to overpower the guard and the guard had to use bayonets to defend themselves.

Seth Govind Das: The Honourable Member accepts that these soldiers were wounded. May I know if they were wounded on account of their own charge or on account of the charge made on them?

Mr. P. Mason: They attempted to overpower the guard and the guard used bayonets to prevent them.

Seth Govind Das: Was the guard or other officials wounded by these soldiers?

Mr. P. Mason: No, Sir, because they had no weapons.

Mr. Ahmed E. H. Jaffer: May I ask whether it is the policy of the Government not to associate non-official members with this service inquiry?

Mr. P. Mason: Yes, Sir.

Mr. Ahmed E. H. Jaffer: May I ask if the Honourable Member will consider the advisability of asking the Members of the Defence Consultative Committee to serve on this service inquiry?

Mr. P. Mason: No, Sir. In the first place, it would be wholly illegal. The service inquiry is held under the Indian Army Act and it will be quite illegal to associate non-official Members with it.

Mr. Ahmed E. H. Jaffer: Why will it be illegal? Does he mean to say that he has no confidence in the Members of the Defence Consultative Committee?

Mr. P. Mason: I have every confidence in them in their proper place.

Seth Govind Das: Has the Honourable Member seen in today's *Hindustan Times* that one Jemadar Naidu and 29 others are under arrest in this respect?

Mr. P. Mason: I have already explained that there are 55 persons under arrest.

Seth Govind Das: Has the Honourable Member seen another item of the news that it is further gathered that about 500 service men are likely to be

discharged from service by the end of this month? Are they going to be discharged because they took part in these strikes?

Mr. P. Mason: I cannot answer that. I think there will be at least that number to be discharged at Jubbulpore. I think it will be in accordance with the policy of continual reduction which my friends continually press us to follow.

Seth Govind Das: Will it be because these persons took part in this strike that they will be discharged or it will be done in the ordinary course?

Mr. P. Mason: I do not know which 500 persons the Honourable Member is referring to. Many thousands of persons will have to be discharged from Jubbulpore. There may be some dismissals by summary procedure.

Seth Govind Das: Will the Honourable Member take into consideration the demands which these strikers put before the authorities before they struck work and will he see that their reasonable demands are conceded to them, so that such instances may not occur in the future?

Mr. P. Mason: I do not think any demands were placed before the men refused to do their duty, but I can assure the Honourable Member that all reasonable demands are always considered. In fact, we have a Special Branch in General Head Quarters which deals exclusively and entirely with demands of this nature.

Mr. Manu Subedar: Will the ring leaders who will be tried be given the benefit of a counsel from outside?

Mr. P. Mason: Certainly, Sir, if they are tried. I am not even certain that there will be a court martial because the courts of inquiry are still proceeding, and it is not certain that a court martial will be necessary.

Prof. N. G. Ranga: Will the Defence Consultative Committee be consulted in regard to this matter as was done in the case of R.I.N. when the matter was placed before them?

Mr. P. Mason: This is a very different matter. The Defence Consultative Committee was consulted in connection with the R.I.N. with regard to the general policy and with regard to the setting up of a Commission of Inquiry. There is no question at present of setting up a Commission of Inquiry in this connection and the general policy with regard to this matter is, after all, in no way different from the other.

Prof. N. G. Ranga: Until and unless the rank and file of the army behave or misbehave in the way they did in the case of R.I.N., Government will not take the co-operation of the public in satisfying the reasonable demands of the personnel?

Mr. P. Mason: We are always glad to satisfy the reasonable demands of the public.

Mr. President: Order, order. No more supplementary questions; the matter has been sufficiently discussed.

ELECTION OF MEMBERS TO STANDING COMMITTEE FOR EXTERNAL AFFAIRS DEPARTMENT

Mr. H. Weightman (Secretary, External Affairs Department): Sir, I move: "That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, eight non-official Members to serve on the Standing Committee to advise the External Affairs Department on subjects pertaining to British Baluchistan, the Tribal Areas and India's membership of the United Nations Organisation for the un-expired portion of the financial year 1945-46 and the financial year 1946-47."

Mr. President: Motion moved:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, eight non-official Members to serve on the Standing Committee to advise the External Affairs Department on subjects pertaining to British Baluchistan, the Tribal Areas and India's membership of the United Nations Organisation for the un-expired portion of the financial year 1945-46 and the financial year 1946-47."

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): There is an amendment in the name of Mr. Satya Narayan Sinha. He did not expect this item to be reached just now. May I be permitted to move it on his behalf?

Mr. Mann Subedar (Indian Merchant's Chamber and Bureau: Indian Commerce): I understand the official side is willing to accept it.

Mr. H. Weightman: If it is moved, I will accept it.

Mr. President: In that case, I will permit the Honourable Member, Prof. Ranga, to move this amendment himself. I will not allow him to move it on behalf of Mr. Satya Narayan Sinha.

Prof. N. G. Ranga: Sir, I move:

"That in the original motion for the word 'eight', the word 'ten' be substituted."

Mr. President: The question is:

"That in the original motion for the word 'eight', the word 'ten' be substituted."

The motion was adopted.

Prof. N. G. Ranga: Sir, I would like to have a little more information about the exact scope of the work of this particular Committee. We are anxious that this Committee should not confine itself merely to the discussion of the tribal areas and the affairs connected with the tribal areas. Its work should be extended not only to the U.N.O. and its activities but also to the whole foreign policy of the Government in which India is interested. Sir, unless we take early steps to try to get as many of our Members as possible properly acquainted with the various International responsibilities into which this Government is getting our country, it will not be possible for this House to play its proper part in serving our country in regard to the foreign affairs. For a very long time this Government has relied too much upon the British Government for its foreign policy. So much so that, when the other day we wanted to know from the Honourable Member in charge of this Department whether he would explain whether the Indian delegate was a member of the Security Council of the U.N.O. or not, the Honourable Member had to display his ignorance because he himself did not think it necessary to keep himself up-to-date in his information in regard to these International affairs. A number of International responsibilities are being heaped upon this country. Wherever such institutions have cropped in, such as, Bretton Woods, Hot Springs and Philadelphia in the name of labour, we have been involved in them.

The world now seems to be in a very queer position. Mr. Churchill has already warned us that the world is in for the third World War. Even today the *Hindustan Times* has published a very ominous news that the British papers are very nervous about the general International situation of the world. *The Times* of London has itself stated that all these three great Powers, instead of trying to bring about some sort of world peace and harmony and also a settlement and conciliation amongst themselves, are trying to play power politics between themselves and all of them are competing with one another. In these circumstances, it is most necessary that the Legislative Assembly as well as this Government should try to come nearer to each other and put themselves in possession of the relevant facts that are necessary in order to make themselves competent to deal with the situation. Only yesterday, Sir, we had the ominous news that Russian troops were marching towards Tehran, but today we got the news that it was not towards Tehran that they were marching but that they were proceeding to Azerbaijan to strengthen their regiments there. Let us simply consider the prospect that there would be for India if Soviet Russia were to become our next door neighbour on that side of Baluchistan on the one side, and Chinese forces also becoming our next door neighbour on the other side, and Burma also becoming more and more unfriendly to India, thanks to the imperialistic policy pursued by the Britishers in Burma and treating the Indians there as tools.

Mr. President: Does the Honourable Member propose to review the whole world situation?

Prof. N. G. Ranga: In one sense, I have done it. I have a very good object in doing so, because this is the first occasion when this particular move is being made in this House that there should be a Standing Committee to advise the

External Affairs Department, to deal with foreign affairs and foreign policy with which this Government has got to concern itself. I am extremely anxious that our Government should make this External Affairs a first class foreign affairs department and take this House into the fullest confidence so that the Government will be in a better position to deal with this matter and advise people in regard to various subjects, various international problems with which we are likely to be faced very soon. Therefore, I want the Honourable Member to give us an assurance that he is going to place all these things before this Committee.

Mr. H. Weightman: Sir, the motion which I have moved today.....

Mr. President: I have to remind the Honourable Member that today being Friday, the House will have to adjourn at Quarter to One of the Clock.

Mr. H. Weightman: I will be brief, Sir. The motion which I put before the House today is as a result of the discussions which I held with representatives of the main Parties in this House on the possibility of extending the functions of the External Affairs Department Standing Committee. As a result of these discussions, agreement was reached and action was taken to amend the Legislative Department Rules governing the constitution and procedure of Standing Committee. The motion which I have moved is in terms of that amendment which was made with the agreement and consent of the principal Parties in this House. I cannot go further than I have done.

Nawabzada Liaquat Ali Khan (Meerut Division: Muhammadan Rural): As the Honourable Member referred to some agreement among the Parties, it is as well that I should point out that there was no mention of the United Nations Organisation and now that the Government have agreed to include the United Nations Organisation as well within the purview of this Committee, I do not see what objection the Government can have to the proposition that has been put forward. At that time it was only with regard to British Baluchistan and the Tribal areas. There was no mention of the United Nations Organisation and once you have included that, that means the whole field can be covered.

Mr. President: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, ten non-official Members to serve on the Standing Committee to advise the External Affairs Department on subjects pertaining to British Baluchistan, the Tribal Areas and India's membership of the United Nations Organisation for the un-expired portion of the financial year 1945-46 and the financial year 1946-47."

The motion was adopted.

Mr. President: I have to inform Honourable Members that for the purpose of election of members to the Standing Committee for the External Affairs Department, the Notice Office will be open to receive nominations upto 12 Noon on Wednesday, the 20th March, and that the election, if necessary, will be held on Friday, the 22nd March. The election, which will be conducted in accordance with the Regulations for holding of elections by means of the single transferable vote, will be held in the Assistant Secretary's room in the Council House, between the hours of 10-30 a.m. and 1 p.m.

The Assembly then adjourned for Lunch till Quarter Past Two of the Clock. Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

The Assembly re-assembled after Lunch at Quarter Past Two of the Clock, Mr. President (The Honourable Mr. G. V. Mavalankar) in the Chair.

THE RAILWAY COMPANIES (SUBSTITUTION OF PARTIES IN CIVIL PROCEEDINGS) BILL

The Honourable Sir Edward Benthall: (Member for Railways and War Transport): Sir, I beg to move for leave to introduce a Bill to provide for the substitution of the Governor General-in-Council for certain Railway Companies in certain civil proceedings.

Mr. President: The question is:

"That leave be granted to introduce a Bill to provide for the substitution of the Governor General-in-Council for certain Railway Companies in certain civil proceedings."
The motion was adopted.

The Honourable Sir Edward Benthall: Sir, I introduce the Bill.

INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Dr. Sir M. Azizul Huque (Commerce Member): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Companies Act, 1913.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Companies Act, 1913."

The motion was adopted.

The Honourable Dr. Sir M. Azizul Huque: Sir, I introduce the Bill.

BANKING COMPANIES BILL

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

Mr. President: The question is:

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

The motion was adopted.

The Honourable Sir Archibald Rowlands: Sir, I introduce the Bill.

INDIAN COCONUT COMMITTEE (AMENDMENT) BILL.

Sir Pheroze Kharegat (Secretary, Agriculture Department): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Coconut Committee Act, 1944.

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Coconut Committee Act, 1944."

The motion was adopted.

Sir Pheroze Kharegat: Sir, I introduce the Bill.

TRANSFER OF PROPERTY AND SUCCESSION (AMENDMENT) BILL

The Honourable Sir Asoka Roy (Law Member): Sir, I move:

"That the time appointed for the presentation of the report of the Select Committee on the Bill further to amend the Transfer of Property Act, 1882, the Hindu Disposition of Property Act, 1916, and the Indian Succession Act, 1925, be extended upto Monday, the 25th March, 1946."

The Select Committee met on the 11th but some members wanted further time to consider the Bill and it was agreed that I should move the House for extension of the time for presentation of the report of the Select Committee till Monday the 25th. Sir, I move.

Mr. President: The question is:

"That the time appointed for the presentation of the report of the Select Committee on the Bill further to amend the Transfer of Property Act, 1882, the Hindu Disposition of Property Act, 1916, and the Indian Succession Act, 1925, be extended up to Monday, the 25th March, 1946."

The motion was adopted.

INDIAN INCOME-TAX (AMENDMENT) BILL

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I move:

"That the Bill further to amend the Indian Income-tax Act, 1922, be referred to a Select Committee consisting of Mr. K. C. Neogy, Mr. Manu Subedar, Mr. Vadilal Lalubhai, Sri M. Ananthasayanam Ayyangar, Mr. B. P. Jhunjhunwala, Seth Yusuf Abdoola Haroon, Mr. Abdur Rahman Siddiqi, Syed Ghulam Bhik Nairang, Mr. T. Chapman-Mortimer, Sir John Sheehy, and Mr. C. W. Ayers, with instructions to report by Wednesday, the 27th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

I do not think I need detain the House very long. Indeed, if the debate is confined to the scope of the Bill before the House, I do not think it will take the House very long to dispose of the motion. My brevity is four-fold. First of all, the Bill is very short; secondly, it is not only short but sweet, because it does nothing but confer concessions upon the taxpayers; thirdly, I think the notes on clauses adequately indicate the purpose of the amendment; and fourthly and lastly, as the Bill is going to be referred to a Select Committee, the House will have a further opportunity of debating it. I could, therefore, really sit down now, but, before resuming my seat, it might perhaps be of help if I laid emphasis on one or two of the points which require consideration. Honourable Members will remember that in my Budget speech I said that one of the objects of my financial proposals was to encourage Indian industry to rehabilitate and re-equip itself and make itself more efficient; and this Bill covers four means to that end. Firstly, it proposes a special initial depreciation allowance; secondly, it proposes to provide that money spent on research shall be regarded as deductible expenditure for income-tax purposes; thirdly, it extends and expands the scope of the obsolescence allowance at present allowed; and lastly, for the first time, it applies that obsolescence allowance to buildings. To take these things in turn.

As far as the question of depreciation allowance is concerned, the proposed special initial depreciation allowance on buildings will be 10 per cent. of the cost and, in the case of plant and machinery, 20 per cent. Three points have to be noted about this new initial depreciation allowance: First, it is in addition to the existing normal depreciation allowance that is to say, if a company at the moment is entitled to 10 per cent. depreciation allowance on its plant and machinery and if it is a company that is working double-shifts, it will under these proposals, get a total of no less than 35 per cent. depreciation allowance in the year concerned. Secondly, this special depreciation allowance will not be taken into account in determining the value of further depreciation. Thirdly, it will not reckon for excess profits tax.

The next one is research expenditure. Here again three points have to be noted. First of all, it covers both expenditure from revenue and expenditure from capital. It will apply not only to research expenditure incurred by an undertaking itself, but also will cover grants made by a company or a concern to recognized research institutions. Thirdly, by a provision, which you will find in the Finance Bill, this concession is going to be made retrospective, the result being that it will take effect just as if the abortive income-tax Bill last year had then been passed into law.

There is one other point to which I might draw the attention of the House in respect of this special allowance for research, and that is this: it will not be at the sole discretion of the Income-tax Officer to determine whether to allow expenditure as expenditure on research under the Act, but it will be subject, in case of a dispute, to a ruling by an independent prescribed authority. We have not yet determined who that prescribed authority will be, but it will probably be the Industrial and Scientific Research Department of the Government of India.

As far as the obsolescence allowance is concerned, it does four things: First of all, it extends it to buildings for the first time, and by buildings I mean not

[Sir Archibald Rowlands]

merely industrial buildings, but it will apply to all the buildings which come under section 10 of the Income-tax Act, namely buildings like shops, offices, or hotels. The second thing it does is that it extends the allowance not only to assets that have been discarded, as no longer required, but to assets that have been destroyed or demolished. Thirdly, it curtails in favour of the assessee the present provision under which, if an assessee's sale proceeds of a discarded asset exceeded the written down value, then the whole excess can be treated as taxable profit. What is now proposed is that the amount to be treated as taxable for this purpose will be limited to the difference between the original value and the written down value. And, lastly, it proposes to treat as income money received from an insurance company in respect of an asset that has been destroyed in the same way as money received from the sale of a distributed asset. That is to say, the total amount of receipts from insurance companies that can be treated as taxable will be limited to the difference between the original value and the written down value of the asset concerned.

If you remember, there is one other thing I proposed in the Budget which is now covered by this Bill before the House, namely the stress which I laid on the importance of private buildings for the purpose of restoring to the maximum extent possible the economic activity which will necessarily diminish by the heavy drop in defence expenditure. Apart from the administrative measures that we hope to take by making available materials—steel, timber, cement, etc.—I propose two concessions in respect of buildings which are erected within the next two years. In respect of residential buildings, I propose a tax-free exemption for two years, and in respect of other buildings, buildings for the occupation of business, there will be an additional initial depreciation allowance of 5 per cent. Both these points are covered in clause 2 and clause 3 (a) (i) of the Bill. Apart from clause 5 which merely remedies a handicap suffered by trustees and receivers,—I have now covered the whole Bill.

Sir, I do not think I need say anything more except to recommend that the Bill be examined by the Select Committee.

Sir, I move.

Mr. President: Motion moved :

"That the Bill further to amend the Indian Income-tax Act, 1922, be referred to a Select Committee consisting of Mr. K. C. Neogy, Mr. Manu Subedar, Mr. Vadilal Lallubhai, Sri M. Ananthasayanam Ayyangar, Mr. B. P. Jhunjhunwala, Seth Yusuf Abdoola Haroon, Mr. Abdur Rahman Siddiqi, Syed Gulam Bhik Nairang, Mr. T. Chapman-Mortimer, Sir John Sheehy, and Mr. C. W. Ayers, with instructions to report by Wednesday, the 27th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): I shall gladly respond to the suggestion that the discussion of this Bill need not be long drawn up. A portion of this Bill has a history. As the House will remember, this Bill was introduced last year and because there was an obnoxious clause which Members on this side would not agree to, the previous Finance Member,—whom I had occasion then to compare, in sensitiveness, to a temperamental *prima donna*—in a huff withdrew it. And, I think the present Finance Member has to be congratulated for not only bringing in the Bill, but in bringing it in without that obnoxious clause. Since I have come to Delhi, many friends have so frequently asked me what I think of the present Finance Member. I think I might as well give the reply here. His predecessor was more or less a head-clerk type of person, ponderous, elephantine and slow, without initiative, but in the present Finance Member we find a very superior person. He is constantly saying that he would go away. Whether it is a threat or a promise that he will go away, I have not the slightest doubt that he will very deservedly rise in position wherever he goes. But if the United Kingdom can make use of him in some high position and keep him in this country on their

behalf, I should be very glad. This is my opinion of the present Finance Member and to some extent it has been forced out because of the contrast between the present Bill and the previous one which was introduced.

Not only has the Finance Member restored those features of the last year's Bill which we all wanted, but he has introduced two or three good and desirable features. The small one, namely the injustice to persons deriving their income from trusts in clause 5 was overdue. It was wrong, in the first instance, that for some years people who derived their income from trusts and who had no other source of income were taxed at the maximum rate. Now the maximum rate itself has shifted and I am very glad that Government's conscience has now awoken and they find that it was wrong to tax small people deriving very small incomes at the maximum rate as they were doing.

On the other features I do not wish to dwell too long here. There are some points notwithstanding what the Finance Member said which want smoothening out which we shall doubtless attend to in the Select Committee. The wording of the Bill in clause 3 (c) (ii) and the two provisos there, namely, the second and the fourth, did not give us the impression which the Honourable the Finance Member gave in his speech, and I much rather rely on what he said just now, namely, that there is no intention to tax anything which will be in the nature of a capital receipt, namely the excess of sale proceeds over the written down value or the excess of proceeds of insurance companies' compensation, if and when such proceeds exceed the written down value or even the original value.

The Honourable Sir Archibald Rowlands: The difference between the two.

Mr. Mann Subedar: The difference between the two is something which Government have allowed by way of depreciation during the previous years, and I entirely agree that in the interest of revenue such difference ought to be taxed by Government. But may I point out that insurance is generally taken out by industries not on the basis of what it has cost them, nor again on the basis of what it stands at their books at: but on the basis of at what price they can replace it. In short, what is the replacement value of a particular asset? Let me make it clear. A motor may cost Rs. 5,000 and which I may have used for six or seven years. It may stand in the book next to nothing or Rs. 500. But I would insure it for Rs. 7,500 and I doubt whether in these days I could replace it even for Rs. 7,500 in case the motor burns down. We thought the Government was trying to tax the difference between Rs. 7,500 and Rs. 500 and bring it in, in which case it would be a capital tax, and I am very happy that that is not the intention, though unfortunately the wording of the clause is a little obscure and we shall have to put it right in the Select Committee.

Then, Sir, with regard to scientific research. But before coming to that, on this very question on which I was closing, may I point out that in England according to my information, Mr. Ayers can correct me, these benefits which are now being given to us were given from 1942 and therefore British industries have enjoyed these benefits in the past. The matter has been delayed here and according to last year's Bill, it was retrospective for the accounting period 1943-44; this particular benefit of extra depreciation which is being given, which is only a single occasion on which the party will enjoy it. I do not see why this benefit should be confined to new buildings which may come into existence hereafter or new machinery to be put hereafter. What about those unfortunate persons who have during the last two years been able to put down buildings or to re-equip their plants at very heavy cost during the war. Surely it is not intended to deny to these persons the benefit which is being extended more particularly as in the United Kingdom the industries has had these benefits, now offered to us, for the last three years.

With regard to scientific research, the object is very good. We all agree with it. Our only complaint is why was it not done earlier? Will not the income-tax authorities, the Board of Revenue, confirm me when I say that over and

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over again industrialists who had spent money in these directions had been arguing with the income-tax officers to permit this as a legitimate and proper expense and that they were not permitted in this manner to deduct these expenses. They were told that it is not necessary for your business to do research. Sir, I do not wish to be cantankerous with regard to issues of the past, but I do feel that—and I am glad that the Government is throwing itself in line with civilized governments elsewhere in the matter of scientific research—just as they have improved matters in their attitude towards the assessee, in the scientific research expenditure, there are a few heads like charity towards which we have necessarily in this country to give something; you may say it is not necessary to maintain your business. You may think so. But it is practically a necessity for every business to maintain itself. You cannot, in the bazaar, when a good object comes round say that you cannot give anything. Still the income-tax authorities say this is not for the maintenance of your business. This is by way of illustration. The attitude of the income-tax authorities could be a little less wooden and a little more elastic and they could try to understand this at all events for limited amounts. But where they find that the particular privilege is being abused, then by all means let them do what they like for the safeguarding of the revenue position. But in all other cases let them be reasonable.

As regards scientific research, the position is that in other countries, research comes from three directions: one is the university research which is being done on a scale which is unknown to India: the other is research initiated by Government in institutions for general purposes, *i.e.*, for general problems: and the third and the last is research directed towards the study of specific problems which a particular industry has in regard to the operations which it has to carry out. It is this last species of research which has hitherto been unknown in India. We find our industrial concerns have not only to import the process from outside, but the men who will tell them about the process, and we find they have again to import knowledge with regard to the adaptation of that process to Indian conditions, Indian climate and Indian raw material. In other words, for almost everything we have been hitherto woefully dependent on the outside and this is a position which no Government should have tolerated for long. I am very glad that this Government is now giving promise of specific encouragement, in the manner which is sought in this Bill, to scientific research, not of a general character, not merely in the air, not theoretical problems, but specifically directed towards problems which are in the way of industrial concerns who wish to achieve some definite result on the basis of given materials, on the basis of Indian conditions and on the basis of whatever is available here, and more particularly to adapt something which is done in another country and to adapt it in the cheapest possible way and not merely as a blind copy of what is done elsewhere.

There is a still more welcome feature in this Bill. It is the proposed encouragement to private buildings which is set out here. I do not think there is anything *sacro sanct* about these two dates—the 1st April, 1946, to 31st March, 1948. Buildings may be begun and completed during this period. But supposing some unfortunate person is unable to complete a building by 31st March, 1948. Do you wish to deprive him of all the 24 months benefit which you are offering to the others, or do you wish to give him the benefit of the balance of the period to which, in my opinion, he would be fairly and justly entitled? There are issues of this kind which we shall smoothen out in the Select Committee.

I want however to dwell just on one or two general principles contained behind these objects. The Honourable the Finance Member has admitted, and I am very happy to find myself in complete agreement with him that private

enterprise is in a position to move quickly and to engage a much larger number of people in a short period of time and that this particular form of encouragement is seeking to do it. I cannot help contrasting, Sir, the proposals which Government have got with regard to the increase of employment in this country by means of State expenditure. Big plans have been made elsewhere for Provinces and in the Central Government. I understood from Sir Ardeshir Dalal himself some months ago that some of the Provincial Governments had not prepared any plan, that he was after them, and after a month or two he got a plan from them. This is the kind of plan which has been adopted and this is the plan which my Honourable friend is giving in his Budget a very heavy subsidy. I do not wish to go into all that here but I do say, Sir, that it is private enterprise which for a given amount can achieve larger and quicker results so far as employment is concerned. And if my Honourable friend would study the contrast and would create facilities in other directions which I am presently mentioning, the results would more likely be satisfactory.

Now, Sir, it is good that those who will build during the next two years will be encouraged and there will be no income-tax for two years on their property. This temptation may or may not bear fruit. If it is not the object of this Government merely to say that they made a very good gesture, if it is their object to see that good results are secured, that buildings should go up on a large scale and should bring about the employment of a large number of people, then, Sir, many more things would have to be done.

At present the dilemma is this. A man will save so much on income-tax but it will cost him so much more to start building operations now. He will certainly consider whether it is worth his while to put the money now or wait for a year or two until prices come down. In other words the great danger to the fructification of the scheme which the Honourable the Finance Member has put forward is this. Unless prices of building material,—not only the mere availability which he mentioned (he said that he would make building material available in larger quantities as and when required)—are brought down and, at the same time if the transport required for building materials is not given priority, results achieved would not be satisfactory. Building is like cooking: if one of the ingredients is lacking you cannot have the cake. If therefore the transport is not provided and prices are not brought down the incentive sought to be given through this Bill may be lost. I do not say that this Government is not doing all this, because I have information that they are trying to attend to these aspects also.

Let me put another aspect to which rather incomplete attention has been given. This aspect is with regard to the continuation of the Rent Act. The Rent Act is a very good law but I would like to make one or two suggestions about it. The cost of repairing materials has gone up. Many properties have been in disrepair and if you wish the owner of a property generally to be smart about his business and to be enthusiastic, then you must create some facility and modify the provisions of the Rent Act applicable to a smaller extent so far as people owning residential properties are concerned but to a slightly bigger extent so far as business premises are concerned. The tenants of business premises were permitted to make large profits but the landlord is not permitted even to cover himself for the extra cost of repair. There is another provision by which a tenant can profiteer as much as he likes. A tenant can put up a couple of sticks and say that he is letting out furnished quarters! It may cost him Rs. 90 and he can let it out at Rs. 300. These are abuses. Not only that but the absurdity is that a tenant can put any other tenant behind him, including a prostitute in the midst of respectable families living all round and the landlord is unable to do anything. The Rent Act protects the prostitute!

There are other aspects too of the Rent Act which ought to be remedied but in particular I would mention the provision of the Rent Act as it applies to new buildings. Has the Honourable the Finance Member any idea how a new building, the building of which he is encouraging through the provisions of this

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Bill, how that building will stand with regard to the fixing of rents when it is ready? I find that the Bombay Government have definitely put forward the plea that no permission will be given for a new building unless the builder agrees that when the building is ready, it would be made first available to the Government, if they want it or it should be made available for any tenants who are after it and the rent shall be fixed by the Rent Controller! The Rent Controller who was appointed under one of the Ordinances during the war is not even a permanent official. I think it is this kind of discouragement from other quarters which will counter-balance any encouragement which my friend may give in the form of the relaxation of income-tax under clause 2 of this Bill. And unless all these things are taken together and, studied together and unless the whole machinery is revised in regard to the reduction of prices of building materials, the transport of these materials, the relaxation of the provisions of the Rent Act, wherever they are found to be unsuitable, unless all this is done I feel that the good intentions of the Finance Member as embodied in this Bill will not fructify.

Sir, I support the motion.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Sir, I do not want to take much time but I wish to express my surprise at the manner in which the two Honourable Members who have spoken before me have managed to fall in love with each other without appearing to be doing so.

Sjt. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Two capitalists.

Prof. N. G. Ranga: I wish to warn the present Finance Member, that the praising is done by my Honourable friend while he is still in office and this of course is the usual practice of businessmen. Our party is not a party of businessmen. We represent different interests of which our nation is composed. It is all right for the Finance Member to give all these bouquets to these big businessmen. There was a time when we were in a little less embarrassing position when all the gentlemen used to be on the other side. We have no objection to the Honourable Member making a number of concessions as he has done in regard to earned incomes of all those people who are professionals. This is a reform which should have been made long ago. I am glad it has been made at last now. But in regard to various other things which my Honourable friend Mr. Manu Subedar and the *Eastern Economist* (both very able exponents of their points of view) have asked for, I only request the Select Committee to be very careful, because it is easy to go on asking for more and more and getting them out of this Government as it is in a mood to yield to these rich people. But who is going to fill the gap? This Budget is bad enough. The financial proposals that have been placed before us are very discouraging: they are one-sided. One interest, a very small and tiny interest, if it is looked at from a human point of view, has been given all the advantages. The great masses of our people have been given nothing at all. My friend Mr. Gadgil tells me that there are only 7 lakhs of these people.

Sri M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): 7,73,192, to be exact.

Prof. N. G. Ranga: Therefore I would like them to bear in mind the need of all these masses of people for relief from tax burdens. How can this relief be given unless these rich people are prepared to bear the tax burden. Their shoulders are broader and stronger and they ought to be prepared to bear these burdens.

Then, my Honourable friend gave a bouquet to himself and to his class by saying that the Finance Member had recognised the fact that private enterprise, which is very enterprising, will be able to build more of these houses and so on. But what is its record? Why should the Honourable the Finance Member come forward offering a 25 per cent subsidy to the building trade, if these capitalists

are so enterprising. It only sows that this capitalistic enterprise cannot be carried on in this country unless this 25 per cent. subsidy is given. That is what it means.

Then there is the question of charitable funds. Wherever from do these gentlemen get all these funds, I want to know. The time has come when the Finance Member or someone else on that side should take the earliest opportunity to introduce legislation in order to control the collection and utilisation of these charitable funds. I know that every one of our *beoparis*—I do not wish to use any other name—collect these charity funds from our peasants whenever we sell anything. Even when we purchase anything we have got to pay: these gentlemen accumulate all these funds and afterwards call them Birla funds or Bajaj funds or Ispahani funds and all these great gentlemen with their names placarded start these great charitable funds, get all the kudos and they make our biggest and noblest people go to them in order to get some of these funds, and afterwards they prepare their way to heaven. That is the game these gentlemen have been playing point so, if you cannot touch these funds through income-tax and place them at the disposal of the general taxpayer and help them by development and social services, at least introduce some legislation as soon as you can.

On one other point I agree with my Honourable friend, Mr. Manu Subedar—I have already agreed with him in regard to earned incomes—and that is in regard to research. I want that our industrialists should spend as much money on industrial research as possible, and in this direction I do not want the tax-gatherer to trouble them very much. But at the same time I do not want them to become monopolists of the results of these researches. The state must keep an eye on this and they must have some control also. The state should also try to develop with the help of industrial research or whatever they have, and to plan out these various researches. When these gentlemen set apart a portion of their funds for industrial research, let them submit their schemes of various kinds and let the Government have a look at those schemes, and then relate them, one with the other, and say that such and such things are really necessary, and give them an opportunity to embark on these researches; but the results of these researches should not be made a monopoly. To the greatest extent possible, first preference should be given to that particular industrial concern which makes some discovery or whatever it is out of its industrial researches, but the public also must be given an advantage of it. I hope the Select Committee will keep in mind not only expansive ideas of the needs of the vested interests that my Honourable friend has, so rightly, placed from his own point of view, but also these and very many other persons that they ought to think of when they have to keep in mind the interests of the masses.

Sri T. A. Ramalingam Chettiar (Madras: Indian Commerce): Mr. President, the two Members who spoke just now have demonstrated the necessity for a consolidating and amending Act on this question of income-tax. The present Bill is a very modest measure; it deals only with three small points; whereas questions of somewhat far-reaching importance have been raised, and they have to be dealt with by another Bill, if the Honourable Finance Member is going to bring one before his term is up. Anyway the Income-tax Act is a very old Act—it is an Act of 1922, and it requires to be gone into very completely again and re-enacted with such changes, either in terms of what Mr. Manu Subedar wants or in terms of what Mr. Ranga wants, as a separate measure.

I do not want to go into those questions. I will confine myself to the Bill before us. There are only three points referred to in the Bill. They are reliefs which have to be given and which are overdue to the industrialists for things for which they are entitled. One is the question of scientific research, about which I do not think there will be any difference of opinion. But the provision

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that is made in the Bill before us is defective in one way. At the present moment the industries which can individually take up

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research are very few. When a whole business is concerned, there are several industries, several companies, which can combine together and undertake research. For instance, the textile concerns all over the country have got their associations in different places. I consider that except in the case of very big capitalists and very big companies, the natural course of advancement will be for these associations of the same industry to undertake research for the benefit of all. For instance the millowners in different parts of the country may not take up industrial research separately. In that case each mill will have to make a contribution to the association. I fear that contribution is not covered by the provisions of this Bill. It no doubt says 'institution'—I do not know if the Honourable Finance Member means to bring such associations under the term 'institution'. Anyway it is absolutely necessary that it ought to be made clear that if research is undertaken by any association of the same business, then any contribution made to such association should also get the benefit. That is one point which I should like the Select Committee to bear in mind when they consider the Bill.

The second point to which I should like to make reference is the concession which is given with reference to buildings put up already, or to be put up hereafter and the plants installed or to be installed hereafter. The market prices have been very high during the last two or three years. The prices are going down. Take for instance building materials; during the last two or three years, the prices were very high. Now, already within the last few months there is a downward trend in the prices. What the Honourable Finance Member proposes is to give relief to such industries as will instal machinery or as will put up buildings hereafter. He wants to put that in class one. In class two he wants to place those cases in which buildings have been erected and machinery has been installed from the 1st of April, 1945. It is before this period that prices were high. Such of those industries as had to put up buildings or instal machinery before that time had to pay very heavily for those things. They had to put up those things and instal machinery, in most cases, on account of pressure that was there for producing more. The pressure was exercised both by the circumstances of the time as well as the pressure put on them by the Government for more production for war materials and thinks like that. Under these circumstances they have put up buildings and installed machinery at very great cost. So, I would very strongly urge that the period that ought to be taken into consideration in giving this concession should be *ante-dated* by at least three years: we ought to say, that all machinery erected and all buildings put up from the 1st April, 1942, should have this concession extended to them. That is only fair. As I said, if anything, the prices are going down. The relief that is wanted is more for those who have already put up these buildings and installed their machinery, rather than those who are going to do it hereafter.

I would also join Mr. Manu Subedar in saying that there is a risk. When industrialists undertake to put up new machinery and new buildings hereafter and if they are not able to complete before the end of March 1948, they should not be penalised. If they take more time, they ought also to get the concession. Otherwise there will be a lot of discontent. Machinery is very difficult to get and it is not known when we are going to get them. I know of a case in which orders were placed in 1940 and 1942 and the machinery has not yet come and where inquiries are made the manufacturers are not able to say when they will be able to send the machinery. (*An Honourable Member*: "You will have to wait till doomsday.") Hereafter if you give new orders no manufacturer is prepared to guarantee the delivery of the machinery within any particular time, apart from the cost involved. So far as the cost is concerned, the orders we have given just now come to something like $3\frac{1}{2}$ times the prices which they quoted before the war. Even after paying $3\frac{1}{2}$ times the pre-war price, we are not in a position to say whether we will get the machinery in time or at any

particular time. Such being the case the restriction with regard to the time for putting up the buildings or installing the machinery should not be there. If anything is started within a particular time or if an order is given within a particular time, the concession should be given in such cases also.

The Honourable Sir Archibald Rowlands: You get the allowance on machinery at any time, whenever it is delivered.

Sri T. A. Ramalingam Chettiar: Not the higher amount you are proposing now?

The Honourable Sir Archibald Rowlands: Yes. Read the Bill.

Sri T. A. Ramalingam Chettiar: That is a point which the Select Committee should look into. Now, that the Bill is going to a Select Committee I will ask the Select Committee to pay special attention to these two points I have mentioned and give relief.

Sir Cowasjee Jehangir (Nominated Non-Official): I am sure we are greatly relieved to hear the Finance Member describe this Bill as a Bill of concessions. It is to a great extent a Bill of concessions and concessions which were justly due but there is a clause in the Bill which has given rise to considerable apprehension and I only hope that this apprehension is wrong but I would like to draw the attention of the House to what the apprehension is. My friend Mr. Manu Subedar alluded to it. It is with regard to the clauses of obsolescence and it is clause 3 (a) (ii). The interpretation of the amendment is a question which the Select Committee will have to study with great care. The following words have been added to the old section: "such building", and the words "discarded or demolished or destroyed". Now, the insertion of the word 'destroyed' makes a very big change in the Act. So far as we understand the interpretation of this section it is as follows: If 15 or 20 years ago machinery cost 30 lakhs and it is today written down to 10 lakhs of rupees and if you have insured it for 25 lakhs and if the machinery is destroyed by fire, then according to my interpretation of this clause Government will allow 10 lakhs to go to capital and 15 lakhs will be taken to profits on which they will charge income-tax and Corporation-tax.

Sir John Sheehy (Government of India: Nominated Official): That is correct.

Sir Cowasjee Jehangir: Now that is my interpretation of this clause. I find that the British Act was amended in 1944 somewhat in a similar manner and concessions were given in that Act—very much the same as given to us today but so far as my reading of the 1944 British Act is concerned, the principle you are now trying to adopt was adopted only for assets acquired after the amendment of that Act. It applies to new machinery and new buildings and this principle did not apply to any of the old buildings or old machinery which had been brought into existence, say 15 years ago. As I understand the English Act, I see the logic of it and I would be prepared to concede the principle adopted in England in 1944, but I see great danger in adopting the principle suggested in this Bill if my interpretation is correct. I stand open to correction. I understand the principle, that concessions were given to companies when depreciation was allowed and Government did not charge income-tax and Corporation-tax on those amounts from year to year till we come down to 1946 when the depreciated machinery was down in the company's books at 10 lakhs. I can understand when Government turn round and say that since they allowed a concession for a number of years and allowed the company to depreciate their machinery and if on account of fire the insurance company pays the full amount of the insured money, Government is entitled to its share of the income-tax and super-tax which it has let off for so many years. I admit that principle but the concession that was given was during a course of a number of years at a much lower rate of income-tax and super-tax. Income-tax and super-tax have gone on rising during these years and if the fire takes place, in 1947, Government will

[Sir Cowasjee Jehangir]

charge income-tax and super-tax at the highest rate possible. I think I have made the point perfectly clear.

Sjt. N. V. Gadgil: After all you have to pay tax on the income you got?

Sir Cowasjee Jehangir: Sometimes my friend's logic is rather complicated but if he would make himself more clear or tell me what his point is we can discuss it.

Now, with regard to the individual who has a building which has been depreciated from year to year, he gets off his income-tax and super-tax on small amounts. If it is burnt down and he gets his insurance money say, 15 lakhs of rupees, the Income-Tax Department will charge him 60 pies income-tax and the highest slab of super-tax, while the concession that he has received is at a very low rate of income-tax and slab of super-tax. I think that Government will secure a great deal by this amendment with regard to individuals. Government will practically take a large percentage of the moneys received from the Insurance Companies with regard to individuals. I think that point should be seriously considered by the Select Committee and I would urge that if the amended British Act is what I believe it to be, that principle should be adopted. It appears to me to be quite equitable.

These are the only remarks I have to make with regard to the Bill and that this clause of the Bill requires the serious consideration of the Select Committee. I will again thank the Honourable Member for having described this Bill as a Bill of concessions and I trust, when he looks into it in the Select Committee with his other colleagues, he will really make it a Bill of concessions.

Mr. T. Chapman-Mortimer (Nominated Non-Official): Mr. President, this Bill contains so much which is beneficial to industrial concerns that naturally, as a spokesman of such concerns, I appreciate all that has been given to us. I, therefore, endorse to a very large extent what my Honourable friend Mr. Manu Subedar said in regard to the beneficial nature of this Bill. At the same time, there are one or two questions to which I should like to draw attention at this stage, because they will undoubtedly cause a lot of talk in the Select Committee. But before I deal with these, there is one minor point of drafting to which I should like to draw the attention of the Honourable Sir John Sheehy; that is, at the end of clause 3. In the Statement of Objects and Reasons there is a reference to clause 3(b). I confess I searched for about 20 minutes before I was satisfied in my own mind as to what that reference was; but I came to the conclusion in the end, possibly rightly, possibly wrongly, that it referred to what is marked (c) at the very end of clause 3. If I am not correct, I should like the Honourable Sir John Sheehy, in replying to this debate, to tell us whether sub-clause (b) is really sub-clause (c).

Sir John Sheehy: It is sub-clause (c).

Mr. T. Chapman-Mortimer: That is the first minor point. As I am dealing with this particular clause, the second point that arises out of this is the precise interpretation of the words "Provided that in the case of a building previously the property of the assessee, etc." I do not suggest that the Honourable Member should reply to that now, but I would ask him to give it his very serious attention because the wording is not very clear; and in view of the importance of the sub-section, it is desirable that we should be quite clear in our minds as legislators what it means.

Then, with regard to the main clauses of the Bill themselves. I will deal first with clause 5. It is a small clause, but to poor people and to those who are less well-to-do it is very important. It is a clause which will relieve what has been an undoubted hardship to widows and children and we whole-heartedly support it.

Then, Sir, in clause 2 we have the first of a series of very important concessions to industrial concerns. I refer to the sub-clause which says: "and

where the buildings have been newly erected, or the machinery or plant being new has been installed, after the 31st day of March, 1945". Now, Sir, I do not want to take the time of the House by going into that but I hope that either in his reply to this debate or at a later stage Sir John Sheehy will be able to explain in very clear terms precisely what is involved by that date. It has, for example, raised a doubt in my mind regarding the position of machinery which begin to be installed before the 31st day of March, 1945, but was completed perhaps six months later, and, similarly, at the other end, installed before the 1st day of April, 1946, and completed during the period 31st March, 1948. It is perhaps a small point, but it is important to all those who have got to administer the act, and in that matter naturally they will have to work very closely with his officers; otherwise in regard to the earlier part of sub-clause (a) of clause 3 we in this Group whole-heartedly support the Government and we welcome these proposals. As the Honourable the Finance Member has pointed out, these are additional and special terms and special conditions in relation to new plant and machinery in regard to depreciation. In that connection, again, I raise another important query. And that is the position of colliery plant and machinery, which is now subject to certain special depreciation rates; I should like to hear from the Government whether the depreciation rates now given, which are special, will be in addition to the new additional rates now proposed.

Then, Sir, I leave for the moment sub-clause (ii), which seeks to insert a new clause (vii), and pass on to the proposed concessions to scientific research. Every one in the country, who has at heart the welfare of industrial progress in this country, will whole-heartedly welcome these proposals of the Government. They are sound. They were introduced a year ago but for reasons over which we, in this Group, have had no control they were dropped. We regretted that at the time and we, therefore, take this opportunity of thanking the Honourable the Finance Member for making the concession, if I understood him correctly, retrospective to last year.

Then, lastly, I refer to the new proposed clause (vii), which will come in as a paragraph of section 10 of the Act. That new clause to sub-section (ii) of section 10 deals with obsolescence and has been dealt with already by several Honourable Members. I do not propose at this stage to go into details but should just like to raise again one or two queries. It has aroused doubt in some minds and hostility in others. As regards the doubts, I personally agree that we shall have to give it very careful consideration in the Select Committee, because we must bear in mind that so long as Government adheres to the policy of seeking to put an income-tax amendment through the Finance Bills, which can sometimes be better dealt with through other legislation, there will be hard cases. I hope the Honourable Member will be prepared to consider sympathetically hard cases if these are brought to light, and one of our task in the Select Committee will have to be to consider how these can be provided for. But in saying that I should like to make it also very clear that we, in this Group, fully appreciate why it is that the Government have brought in the fourth proviso, which is mentioned here. Knowing as I do some of the things which went on in Bengal in 1943, my only comment would be that I am surprised that Government have not brought in some similar proposal a long time ago. There have been concrete cases of people who have deliberately over-insured their property in order to get the full amount of concession which they would get by so doing, from the income-tax authorities. Having got all those benefits when prices were rising, apart from the result of their activities, they now seek that on the downward move of prices, they will get similar benefits, and therefore, I sympathise fully with the Government's reasons for bringing in proposals of this kind, though I earnestly hope that they will give very serious consideration to my earlier remarks regarding the hardship cases which will undoubtedly arise. With these observations, I support the reference to the Select Committee.

Mr. Vadilal Lalubhai (Ahmedabad Millowners' Association: Indian Commerce): I will not go into controversy here today, but I feel, the Income-tax Bill

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as proposed is not perfect as all Income-tax Bills are. They sometimes try to remove a lacuna here and there, they sometimes try to remove injustices here and there and sometimes the result is that they perpetrate some more injustices and they create some more lacunae. I would refer to the building activities. The Honourable the Finance Member has given some concessions, but the time limit allowed is so short, especially the starting of building activities is laid down as from 1st April. In these days when materials are not available, how is it possible to start buildings so quick. Plans have to be prepared, they have to be sent to the municipal corporations, contractors have to be contacted and it takes at least a few months to place orders. If the real benefit of this clause is to be given, the time limit, I feel, has to be raised. Regarding clause 2(ii)—Amendment of section 10 of the Income-Tax Act—although this provision, “provided that such amount is actually written off in the bookes of the assessee” has been in the Bill for the past so many years, yet, I feel that this provision ought to go because it is an injustice to those concerns which have been discarded or demolished and destroyed, and they are asked to write off immediately. The loss may be very heavy, actually the profits may be reasonable, and if they write off these losses immediately in that very year, then the balance sheet would show a loss and in that case, although they have made reasonable profit, that concern will not be able to declare a dividend. The concern may suffer. In the case of industries it is not compulsory to write off the depreciation allowances that have been allowed. It is customary to allow them to accumulate and the Income-Tax office and the assessee get together and consider and account for the depreciation allowance, and that depreciation allowance is not to be written off, but is being allowed. The same procedure, I feel ought to be laid down in this case also. I hope the Honourable the Finance Member would consider this point and the difficulties that he puts in the way of those concerns by laying down strictly that the amount must be actually written off and therefore this may be removed.

Regarding research allowances, I should congratulate the Honourable the Finance Member in bringing it up in this Session. Last year the same provisions were being brought, but his predecessor in a huff threw them away because the Finance Bill was thrown out and due to various other reasons. Without research no industry can prosper, no country can progress, and this research allowance ought to have been allowed for the last so many years, as was done in the case of U. K. and U. S. A., and also Germany. But this Government brought it very late and then too when they brought forward these provisions, they withdrew them. At that time a commission on scientific research was established under the Chairmanship of Sir Shanmukham Chetty, and that Commission went round the country, saw industries and industrial Associations and discussed with them and persuaded them to set apart certain funds for research. Many Associations agreed, some did lay out certain amounts, and when the Bill was brought in last year, some Associations actually collected and set apart those amounts, but to their surprise this Bill was withdrawn in the last Assembly. In U. K. the allowances have been made since 1942-43, and due to the persuasion of this Commission, the Government having agreed to do this, and having brought forward a Bill, I feel it would be quite proper that wherever such amounts have been set apart in any part of the country, those amounts should be allowed to be included in the relief so that scientific research may start at once.

As I said before, I find that in the whole Act certain lacunae and certain injustices are there and it is quite necessary, I feel that a committee of this House should be appointed to go through the whole Act and put it in proper order as compared to the various Income-tax Acts in other parts of the world. This year the provision about the difference between written down value, the actual cost value, and the charging of higher amounts obtained from insurance

has been brought about. The reason behind that is quite correct, but I fear some injustice may be perpetrated as my Honourable friend Sir Cowasjee Jehangir stated. The position would be this. If an industrial concern has written down a certain amount and that has been allowed by the Income-tax authorities, and when the prices of these machineries have gone up and he has to replace these machineries at a much higher price, then it would be unfair that the difference between written down value and the original cost is being charged by the income-tax authorities. I will just explain how this would happen. The correct way would be that if one is to pay very high price for replacement value, what should be done is that he should be allowed to reduce the cost from that high cost to the amount of difference between the written down value and the original cost, that is if an establishment has cost one crore and the difference between the written down value and the original cost is 25 lakhs, it should be taken for income-tax purposes that the value of his asset is not one crore, but the depreciation may start from 75 lakhs. In that way real justice would be done, otherwise there would be lot of complications and injustice to the industries concerned.

My Honourable friend Sir Cowasjee Jehangir referred to the present high rate of income-tax and the past low rates of income-tax and super-tax when depreciation allowances were given, and the position was that the Government allowed a certain amount as depreciation at the then rate of income-tax. Government cannot take back from the assessee any extra amount than they have actually allowed. If the provision as worded is kept as it is, Government have given three annas or two annas in the rupee, and they will be taking back not those two or three annas that Government have suffered in revenue but six annas in the case of companies and 12 or 14 annas in the case of individuals who own industries. That will be very unfair and unjust and actually some money will be taken away from the industrialists and from industries instead of giving them a fair deal. I hope this will be considered by the Finance Member and in the Select Committee we may be able to give a fair deal to both the Treasury and the industry.

Various allowances have been allowed from March, 1945. In other countries like the U. K. they have been allowed from April 1944, as I understand it, and as Government were thinking of allowing these allowances last year, so in this case retrospective effect should be given. The other point is about section 23-A. Although it is in the Finance Bill, I feel that the exemption of section 23-A which is sought to be allowed is not clear there and it ought to be rather in the Income-tax Amendment Bill when this may be brought about every year wherever exemptions are sought to be given rather than put and discussed in the Finance Bill. I feel that the proper sphere for such exemption is the Income-tax Act and not the Finance Bill.

There are various circulars being issued by the authorities here to the Income-tax Departments in the provinces whereby wherever there are any injustices found they are sought to be removed. The time has come when whatever is done by circular should be done by an amending Bill; and that is why I put forward the proposal to review afresh the sections of the Income-tax Bill. As regards exemption under section 23-A the rates to be charged for super-tax is 30 per cent of the profits or 5 per cent of the capital whichever is higher, but in case of private companies, in case of trading companies, in case of managing agency companies, this would create great hardship. Industries would certainly benefit if they accumulated reserves and they are not frittered away by giving dividends. That would be certainly good for industries but it would not apply to managing agency companies, because they are for managing the industrial concerns, and if they have to keep reserves I do not know what they are going to do with those reserves and the shareholders of those companies which are managing agency companies would suffer. The proviso about this is in the Finance Bill and I need not dilate upon it today because it is out of the

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sphere of the Income-tax Act Amendment Bill as it is today. But I wish the Finance Member keeps this point in view.

In conclusion I should like to bring in one more point, that income-tax and customs revenues or excise which fall upon the whole country are increased to a certain extent by the nefarious activities of the tax-evaders, and the Finance Member has not yet been able to find out ways and means to stop this tax-evasion. These tax-evaders are specially to be found in speculation businesses and if they are not caught and tax-evasion is not set right the effect would be that the honest tax-payer would have to pay higher sums because whatever is evaded goes out of the revenue and this revenue suffers and it has to be made up from honest traders and honest people who want to pay their income-tax dues honestly. That would be one of the most important things that the Finance Department ought to tackle. Sir, I have done.

The Honourable Sir Archibald Rowlands: Sir, I do not think there is much to reply to as most of the points are really Select Committee points. I was really helped by the unusual unanimity shown by the Congress Party Benches today; they seemed to speak with one voice, which is not very usual; and you will understand how difficult it is for a Finance Member, when he is trying to please everybody, to please one single body. However, we will do our best in Committee. I can assure my Honourable friends that the many questions of hardships they raised will be certainly sympathetically considered. I foresee some difficulty in going some of the way with Mr. Vadilal Lallubhai without doing irreparable damage to the revenue; but, as I said, most of the points raised were Select Committee points and the House will have an opportunity of considering them when we submit our report.

Mr. President: The question is:

"That the Bill further to amend the Indian Income-tax Act, 1922, be referred to a Select Committee consisting of Mr. K. C. Neogy, Mr. Manu Subedar, Mr. Vadilal Lallubhai, Sri M. Ananthasayanam Ayyangar, Mr. B. P. Jhunjhunwala, Seth Yusuf Abdoola Haroon, Mr. Abdur Rahman Siddiqi, Syed Ghulam Bhik Nairang, Mr. T. Chapman-Mortimer, Sir John Sheehy, and Mr. C. W. Ayers, with instructions to report by Wednesday, the 27th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 19th March, 1946.