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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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Deputy President :

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SHRI SRI PRAKASA, M.L.A.

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

SARDAR MANGAL SINGH, M.L.A.

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LEGISLATIVE ASSEMBLY

Tuesday, 12th February, 1946.

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

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

GRIEVANCES OF TOBACCO GROWERS

177. *Prof. N. G. Ranga: Will the Honourable the Finance Member be pleased to state:

(a) if it is a fact that representations have been sent to him and the Central Board of Revenue about the grievances of the Tobacco Growers in connection with the Tobacco Excise Duty Rules, if so, when;

(b) whether on these representations, the views of the Tobacco Excise Officers stationed in the Guntur and Kistna Districts were obtained; if so, what they are;

(c) whether the Conference of Excise Collectors recently held in Simla considered these representations; if so, what their decisions are;

(d) the final orders of Government on these representations;

(e) whether Government will be pleased to welcome the co-operation of the Tobacco Growers' Associations in the collection of information regarding the planting of tobacco, the distribution of T.P.1 and T.P.2 and other forms, in the filling up of warehouse forms, bonds, etc; and

(f) whether Government propose to call a conference between the Growers' Associations and the Department to work out a scheme of co-operation in order to minimise the troubles and the growing harassment of peasants?

The Honourable Sir Archibald Rowlands: (a) Yes: in August 1945.

(b) Reports from the local officers disclosed that the various points raised therein had been discussed in detail with the representatives of the growers and curers of the Guntur area and with my Honourable friend, that the adjustments in procedure which had progressively been made wherever remediable difficulties were found to exist had been explained to them and that there was at present no genuine cause for grievance.

(c) This conference generally discussed means of facilitating excise operations in relation to growers and curers. The Conference is held annually for the purpose of discussing all problems and difficulties arising during the year which have not been resolved in correspondence and it surveys the whole field, both of primary production, trading and manufacture and excise operations of all kinds throughout the country.

(d) In view of what I have just said, no further action on the part of Government was necessary.

(e) Government will always welcome the general co-operation of all persons concerned in the production, manufacture and distribution of tobacco; but excise operations such as those referred to in the question must, for obvious reasons, be conducted by authorised officers of the Crown in direct relation with the producer, manufacturer or trader concerned. The Honourable Member has, however, since agreed, at my suggestion, to discuss with the local officers how far such co-operation, if forthcoming, could in practice assist their operations.

(f) Government are satisfied that adequate arrangements already exist for maintaining effective liaison between their officers and the various branches of the tobacco industry throughout the country.

Prof. N. G. Ranga: What is the objection that Government has for consulting tobacco growers associations also as a part of the growers with whom they

have to maintain direct relations? The Honourable Member said that Government preferred to maintain direct relations with growers. I suggest that in the phrase "direct relations" the growers associations should also be taken.

The Honourable Sir Archibald Rowlands: As my Honourable friend knows, I suggested to him the other day that there were certain difficulties in accepting other than the producer's declarations about the amount of tobacco he was growing, but that if he could persuade the authorities, including myself, that a satisfactory scheme could be evolved, I would willingly consider it. I suggested that the Honourable Member should take part in a tripartite discussion between the excise officers on the spot, the growers and the association, and my own office.

Prof. N. G. Ranga: May I suggest that after considering the suggestion of my Honourable friend, will it be possible for the Government to call for a conference of two or three or four officers who are on the spot at Guntur and in Madras—they can be got here and then the Honourable Member and myself and the President of the Central Board of Revenue and others interested in this matter?

The Honourable Sir Archibald Rowlands: As you know, I suggested to fly the Honourable Member to Madras at Government expense, but I gather his business in the House prevents his doing that; but I would willingly try and arrange a conference in Delhi if he prefers it.

SHOOTING OF I. N. A. PRISONERS IN NILGANJ CAMP

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

- (a) when and why the I.N.A. prisoners in the Nilganj P.O.W. camp were shot at by the jail or camp authorities;
- (b) how many of the I.N.A. prisoners were (i) killed and (ii) injured;
- (c) what has happened to the trial of Captain Menon, the Superintendent of the Jail by the Court Martial;
- (d) whether any compensation was paid or is intended to be paid to the disabled I.N.A. prisoners; and to the dependants of the deceased prisoners; and
- (e) what steps are being taken to prevent the repetition of such mishaps in other P.O.W. camps for I.N.A. prisoners?

Mr. P. Mason: (a) A shooting incident took place at the P.O.W. camp Nilganj, on the 25th September 1945. I do not think it would be proper for me to comment on the reasons for that incident as the case is *subjudice*.

(b) Five civilian internees were killed and nine injured.

(c) The trial of Captain Menon has not quite finished. The findings of the Court Martial are at present awaiting confirmation and will shortly be promulgated.

(d) The question of compensation must depend upon the results of the Court Martial I have referred.

(e) Very explicit instructions have been issued which should prevent any such incident in future.

I. N. A. PRISONERS

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

- (a) the total number of I.N.A. prisoners;
- (b) how many of them are now in hospitals;
- (c) how many more are in receipt of medical treatment;
- (d) how many of those admitted into the hospitals are suffering from (i) injuries inflicted during the shooting incidents in these camps (ii) heart or lung trouble (iii) bad nerves and paralysis (iv) partial or full insanity (v) other serious ailments;
- (e) whether any first-class and adequate medical aid is being provided for these prisoners;

(f) if so, what is the *per capita* expenditure upon the medical assistance being given to these prisoners, say per mensem; and

(g) how does it compare with similar expenditure incurred on the P.O.W. camps of other prisoners?

Mr. P. Mason: I should explain, Sir, that the figures I am about to give concern only those prisoners who are members of the Indian Army. With this proviso, the replies to the Honourable Member's questions are as follows:

(a) about 4,225 in India under interrogation and perhaps 1,500 going through Regimental Centres for discharge. There are about 3,000 overseas.

(b) 413 of whom the majority came direct to hospitals in India in hospital ships.

(c) No return is made of those who report for daily treatment and are not detained in hospital, so it is impossible to give this information.

(d) (i) Three are suffering from gunshot wounds.

(ii) 94 are suffering from tuberculosis and 25 from other chest troubles.

(iii) 11 are suffering from nervous diseases and paralysis.

(iv) 22 are mental cases.

(v) 13 have other serious ailments.

(e), (f) and (g). These prisoners receive exactly the same standard of medical treatment as other officers and soldiers of the Indian Army and enemy prisoners of war. As far as the medical profession is concerned they are all human beings in need of medical attention and no differentiation is made. I do not think, therefore, that the considerable effort which would be needed to supply information as to the cost per head of medical treatment would be justified.

Prof. N. G. Ranga: How do the Government account for such a large number of people—twenty two—suffering from partial or full insanity when there are only eleven suffering from nervous diseases and paralysis and even fewer suffering from heart trouble?

Mr. P. Mason: That will involve a wide incursion into the fields of surmise.

Prof. N. G. Ranga: But do not Government receive periodical reports from officers concerned in regard to the diseases from which these people are suffering and the causes thereof?

Mr. P. Mason: I am unable to read the report on every person in the Indian Army who is under hospital treatment.

Prof. N. G. Ranga: I submit, Sir, that is a very irresponsible answer. It must be the task of some officer in his Department or in some other Department which is responsible to him to study these reports and supply him with the necessary information. I would like to know whether he will take the trouble to make inquiries hereafter at least in the light of these supplementary questions that I have put?

Mr. P. Mason: Had I been asked what is the cause of these cases I would have supplied the information; but I cannot be expected to have it in my head all the time. I have looked into one case which engaged my attention and I shall look into the others.

Shri Mohanlal Saksena: May I know how many of them developed insanity after arrival in India?

Mr. P. Mason: I should require notice of that.

CAPTAIN DHARAM SINGH SHOOTING INCIDENT

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

(a) the full facts regarding the Captain Dharam Singh shooting incident in the Jhinkar-gacha camp;

(b) whether Captain Dharam Singh complained before he was shot at against the restrictions imposed on his movements, and, if so, when and to whom;

(c) why were those restrictions imposed on him and what answer was given to him to his complaints and by whom;

(d) whether any enquiry was made into that shooting incident, and, if so, when and by whom, and what are the results of that enquiry;

(e) what is the present state of his health;

(f) where is he being kept;

(g) what is the nature of treatment given to him; and

(h) whether Government will order a public enquiry into the whole of this unhappy affair and if not, why not?

Mr. P. Mason: (a) I would invite the attention of the Honourable Member to the discussion which took place in this House on the 22nd of last month on Mr. Satya Narain Sinha's adjournment motion.

(b) No, Sir.

(c) As regards the first part he was under arrest; the second part does not arise.

(d) Yes, Sir, a properly constituted Court of Enquiry has been held, the findings of which have been confirmed by the Sub-Area Commander. Jemadar Dharam Singh ignored the sentry's challenge; and no blame attaches to the sentry.

(e), (f) and (g). He is making good progress towards recovery at the C.M.H. at Barrackpore where he is receiving the same attention as any other patients.

(h) The whole incident has been fully inquired into and Government does not consider that any further inquiry is necessary.

Prof. N. G. Ranga: Is it not a fact that the whole inquiry was made *in camera* by the departmental officers?

Mr. P. Mason: The inquiry was made departmentally by military officers. It was not particularly *in camera* and there was no reason why anyone should not give evidence if he wished to do so.

Prof. N. G. Ranga: Did Captain Dharam Singh provide any defence counsel to defend his own case?

Mr. P. Mason: There was no question of any defence counsel. He was not accused of anything.

Shri Sri Prakasa: What was the nature of the inquiry?

Mr. P. Mason: It was a court of inquiry which is held whenever a sentry fires a round. An inquiry is held into the circumstances in which he fires a round and the court records a finding as to whether he was right in doing so. In this case, the circumstances are crystal clear and I have repeatedly explained them in this House. The man was trying to go out through the wire. He was challenged not three times, as I said before, but six times. He refused to answer and continued to try to escape and the sentry fired. That firing was in accordance with orders and was correct.

Shri Sri Prakasa: May I take it that Captain Dharam Singh was given every opportunity to state his own case?

Mr. P. Mason: He was challenged by the sentry six times.

Shri Sri Prakasa: I am asking whether in the course of the inquiry Captain Dharam Singh was given every opportunity to make his own statement?

Mr. P. Mason: No, Sir. No statement was called for.

Shri Sri Prakasa: Then, Sir, may I take it that inquiries were made without consulting the chief man concerned?

Mr. P. Mason: No, Sir. The man concerned was the sentry. It was the sentry into whose actions the inquiry was taking place.

Shri Sri Prakasa: May I take it that the Honourable Member seriously suggests that Captain Dharam Singh was not at all concerned and there was no

necessity of asking him any questions or giving him any opportunity of making a statement and presenting his own case?

Mr. P. Mason: I did not say that he was not concerned. What I said was that the inquiry which was being made was into the conduct of the sentry and the sentry was the person concerned. Had it transpired that the sentry had behaved wrongly, then there would have been a case for a possible court-martial.

Shri Sri Prakasa: Was it not necessary to ask Captain Dharam Singh whether he was or was not challenged six times?

Mr. P. Mason: No, Sir.

Mr. President: That is a matter of opinion. Next question.

CREATION OF FUND FOR CREDITING UNCLAIMED INTERESTS OF MUSLIM SAVINGS BANK DEPOSITORS

181. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Finance Member please state whether Government are aware of the announcement made in the Council of State as far back as on the 12th September, 1927, in reply to a question of Sir Ebrahim Haroon Jaffer, to the effect that Government were willing to make arrangements for facilitating the payment into special funds supported by representative Muslim bodies, of sums representing the interest earned upon monies standing to the credit of Muslim depositors in the Post Office Savings Banks, which the individual depositors do not wish to claim for themselves?

(b) Will Government be pleased to state what steps they have taken during this period of about 18 years to bring to the notice of the innumerable Muslim funds established and supported by responsible Muslim organisations all over the country of the arrangements which they had proposed to make to facilitate the payment into such funds of the sums pertaining to the interests earned by Muslim depositors in the Post Office Savings Banks who do not wish to claim such interests?

(c) Will Government be pleased to inform this House of the steps, if any, taken by them to bring to the notice of individual Muslim depositors in the Post Office Savings Banks the facilities which they had intended to provide to enable them to give the requisite direction as to the disposal of the interest money standing in their names?

(d) As the number of Muslim depositors in the Post Office Savings Banks is very large, and as a substantial proportion of them are likely to be in the remotest parts of the country did Government take steps to give the widest possible publicity to ensure that the implications of their announcements were fully appreciated by the vast number of Muslim depositors?

(e) Will Government be pleased to lay on the table full details, Province by Province, of the amounts earned as interest by Muslim depositors but not claimed by them for the past 15 years in (i) Postal Savings Banks, and (ii) in other Banks?

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

(b) The initiative in the matter was left to the Muslims themselves. It was for them to establish a special fund (or funds) for the purpose and thereafter for the individual depositors to give the requisite directions.

(c) and (d). Government gave no undertaking either to bring the arrangement to the notice of the individual depositors or to take any special measures for giving publicity to it.

(e) The information is not readily available and Government do not consider that the advantage to be gained from the compilation of the necessary statistics would be commensurate with the labour and expense involved.

Mr. Ahmed E. H. Jaffer: How do you expect the Muslims to administer the fund or to form the fund unless the Bank or the Post Office gives to us the money which is lying with the Bank or the Post Office?

Mr. President: I could not follow the question.

Mr. Ahmed E. H. Jaffer: The Honourable Member said in his reply that it is for the Muslims to administer the fund. I am asking how is it possible for the Muslims to do so without getting the money that is lying in the Post Offices or the Bank unclaimed?

Mr. President: That is asking for the advice. The Honourable Member can ask for information only.

Dr. Sir Zia Uddin Ahmad: I raised a similar question when Sir George Schuster was the Finance Member and he gave me some figures which were available in the Finance Department. So, the figures up to that time are available in the office. The thing was left because he wanted to put a condition that the opinion of all the Muslim charitable bodies should be invited, which was impossible . . .

Mr. President: What is the question? If each Honourable Member were to put a question with a long introduction, it will not be possible for us to reach further questions at all. Only questions should be put for eliciting any answer.

Dr. Sir Zia Uddin Ahmad: My question is whether the Honourable Member has seen the file of the questions and answers given to me by Sir George Schuster on the same issue?

Mr. B. C. A. Cook: I will look them up.

Mr. Ahmed E. H. Jaffer: May I invite his attention to a resolution moved by Sir Ebrahim Haroon Jaffer and adopted by the Council of State? Will he take the trouble of reading that debate?

Mr. B. C. A. Cook: I have seen the debate.

Shri Sri Prakasa: Sir, I should like to be enlightened on the question of procedure. This question is addressed to the Honourable the Finance Member. When the Honourable the Finance Member is himself present in the House, I do not know how he can delegate his duties to some one else regarding the answering of questions.

Mr. President: The Finance Member is competent to delegate this function to any of his subordinate or to his colleague.

Prof. N. G. Ranga: They ought to have informed us who this other gentleman is.

Shri Mohan Lal Saksena: Has that been done with your permission, Sir?

Mr. President: Yes.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that the interest of these investments was not handed over to the Christian charitable institutions? If so, where is the money lying? Has it been confiscated by the Government?

Mr. B. C. A. Cook: The money is being accounted for.

Dr. Sir Zia Uddin Ahmad: Is it lying with the Government or has it been handed over to other charitable institutions?

Mr. B. C. A. Cook: The money is still with the Government.

Dr. Sir Zia Uddin Ahmad: Do you want to confiscate it?

Mr. B. C. A. Cook: No, Sir.

Haji Abdus Sattar Haji Ishaq Seth: My friend Mr. Jaffer did not say that the Government gave an undertaking. He wants to know what steps Government have taken to invest these individual deposits?

Mr. B. C. A. Cook: Government did not undertake to take any such step and therefore they did not take any step.

Shri Sri Prakasa: May I know if even when the interest is not paid to the investors, the Government computes the amount of interest accrued and accounts for it under definite heads?

Mr. B. C. A. Cook: Yes, Sir.

Mr. Ahmed E. H. Jaffer: Will the Honourable Member consider the question of appointing a Committee of the Muslim Members of the Central Legislature to administer this Fund?

Mr. B. O. A. Cook: I think a non-official Committee can form itself.

Mr. Ahmed E. H. Jaffer: Will you hand over this money to the Committee?

Mr. President: Next question.

DEMOBILIZATION OF HIGHER PAID PERSONNEL OF INDIAN FORCES.

182. *Mr. Manu Subedar: (a) Will the War Secretary please state how many men receiving more than Rs. 200 per month including allowances, are being demobilised in (i) the Army, (ii) the Royal Indian Navy, and (iii) the Indian Air Force?

(b) Is it a fact that it is proposed to send away men, who have put in several years' service, and to recruit for the purposes of the Department as a whole new personnel either from India or from Britain, or from the British Army in India?

(c) What arrangements have been made for the absorption of those Indians, who are being sent away from any one of the branches into (i) Civil Service, Forests Education, Irrigation or other Services, and (ii) industries, existing and post-war, as well as shipping?

(d) Is any preference being given to the Indians, who will be demobilised under the proposal, over Britishers who have applied for admission to the Indian Civil Service, the Irrigation Service, the Police Service and other Services? If not, why not?

Mr. P. Mason: (a) It would be impossible to give accurate figures in answer to this part of the question since allowances vary according to location and appointment held. If the Honourable Member will specify the ranks and trades in which he is interested, I shall be glad to give him the figures.

(b) Yes, Sir, it is proposed to send away from the Services those who are in excess of the figure which is being assumed for the Post-war Services. At the same time it is necessary to provide for the future a flow of persons of suitable age and the recruitment of young officers and other ranks is beginning. As already announced in the Press, recruitment to the Indian Army and Royal Indian Air Force will be entirely Indian, although it is hoped also to obtain by secondment the services of a number of British officers for so long as they are required. In the case of the Royal Indian Navy, recruitment will be of Indians only except for 40 British officers now serving on the reserve who will be required on account of the greater difficulties of secondment in the case of the Navy.

(c) (i) They will be eligible for permanent vacancies in Government Service a percentage of which are reserved for men with war service.

(ii) A Resettlement and Employment Organization has been set up to guide and help them in their resettlement in civil life and finding employment for them in various industries, etc. For further information on the subject, I would invite attention of the Honourable Member to the 'Progress Report' of the Organization for the period from the 18th July to the 31st December 1945, copies of which are available in the Library of the House.

(d) This question is really for the Honourable Home Member. However, in the I.C.S. and I.P. recruitment of Europeans and Indians to the reserved vacancies will be made in the same proportion as before the war, due allowance being made for those recruited since the outbreak of the hostilities.

As regards the Central Services, recruitment is ordinarily restricted to British subjects of Indian domicile or descent.

Mr. Manu Subedar: In view of the very great importance of this question to the officers concerned who have worked in the Indian Army, Navy and Air Forces, will the Honourable Member either confirm or deny the information

which I have got, namely that about 2,000 persons are being sent away in due course from the Indian Navy on the plea that the Indian Navy is not big enough to absorb them, and at the same time, 300 officers are being taken from R.N.V.R., and R.N. Reserve from the British Navy. When Indian boys are being sent away in this number, why are Britishers taken in their place?

Mr. P. Mason: No, Sir, that is not exactly the correct position. I have not got the exact figures in my head. Something in the nature of about 2,000 are being reduced because the present strength is greatly in excess of future needs. The number of British officers who are being given permanent commissions is, as I explained, 40. They are people who are already serving in R.I.N.V.R. and they stand against the number—I think it is 60, I forget exactly—of Indians who are already in that reserve who are being given permanent commissions. The number to which the Honourable Member refers—again I have not got the exact figures—is undoubtedly the number who are proposed eventually for secondment from the Royal Navy temporarily for one or two years. Their terms have not yet been settled. But in fact, it is very doubtful whether the Royal Navy will be able to spare them.

Mr. Manu Subedar: What are the reasons for the Government throwing out hundreds of young Indians who have done valuable service for over four years during the war and who have got a good record and for not using them and instead of that importing or to use your strange term, 'seconding', 300 Britishers in their place? Why don't you adjust and use these very men whom you have trained up and who have done good service?

Mr. P. Mason: As I explained to the Honourable Member privately the other day, the necessity for any service is to have an even flow, a steady flow of officers and not to have every one of the same age. We have in any case to reduce our R.I.N. very considerably, otherwise we will have a very considerable number on our hands. We want to avoid making the mistake which was made after the last war when a large number of men recruited during the war were of the same seniority and had to be axed from the service, years later, when they were nearly all 35 years old and they had to start in new professions.

Mr. Manu Subedar: Apart from these 300 who are being imported, why should 40 permanent commissions be given to Britishers, when Indians—Hindus, Muslims, Christians and others—who have served in the Indian navy with distinction are being thrown out?

Mr. P. Mason: There are certain specialist appointments and other appointments into which it is felt that only people who have certain experience will fit. As for the question relating to 300, as I explained already, that is by no means yet settled or determined.

Mr. Manu Subedar: In view of the feeling on this side of the House and I take it to be the feeling in all sections, may I know whether the Government will not make an endeavour not to take these 300 and these 40 when with suitable adjustments, they can use 340 out of 2,000 whom they want to throw out?

Mr. P. Mason: We will give our attention to this suggestion.

Mr. Frank R. Anthony: What is the total number on a permanent basis of European and Indian officers that you intend to keep?

Mr. P. Mason: I am afraid. I cannot give the figure now.

Mr. Frank R. Anthony: Do you intend to recruit Indian officers on a permanent basis?

Mr. P. Mason: Yes, Sir.

BUILDING CONSTRUCTIONS AT CESSATION OF HOSTILITIES

183. ***Mr. Manu Subedar:** (a) Will the War Secretary please state how many buildings were in the course of construction at the time when (i) hostilities with Germany ceased, and (ii) hostilities with Japan ceased, for each of the separate Army Commands?

(b) How many of them were permitted to be completed and why?

(c) How many new buildings were permitted to be started after the hostilities with Germany ceased, and why?

(d) What is the value of the building material, which is carried in hand by the War Department in each of the separate Commands, and when and by what method will this be disposed of to satisfy the acute requirements of the civil population?

Mr. P. Mason: It is not possible to give the Honourable Member a reply in all the detail asked. (a) The number of projects costing over one lakh in the course of construction on the cessation of hostilities with (1) Germany were 689, (2) Japan 573.

(b) The cessation of hostilities in the West in no way reduced the military load on India: on the contrary the tendency was for the load to increase because of the intensification of operational planning for the Far East. However, between the surrender of Germany and the surrender of Japan 16 projects were cancelled because they were of low priority and could not be completed in time for operations.

After the surrender of Japan a review of all projects was undertaken with a view to the immediate stoppage of all works where possible. Consequently work was stopped on 322 out of the 573 projects with a resultant saving of between Rs. 8 and 9 crores. Work was permitted to continue only on the grounds of continued necessity for a project or when economic considerations required completion.

(c) 111 new projects were sanctioned between V. E. and V. J. days for reasons I have just given.

(d) Essential building materials, such as bricks, cement and timber are not purchased for stock but on a monthly basis for known requirements. Such stocks must be considered negligible and no disposal problem arises. Thus the military are unable to assist the civil population from their actual stocks but their lessened demands leaves the greater portion of India's output at the disposal of civil consumers.

Mr. Manu Subedar: In view of the fact that the military appropriated to themselves almost the entire available building material throughout the war period, and in view of the fact that very acute residential distress was felt in all major cities of India, and more particularly in Bombay, may I know whether the military cannot slacken or suspend their building activities now so as to give a chance to the civil population for proceeding with their housing?

Mr. P. Mason: Sir, as I already explained, it has been very considerably slackened. 322 out of 573 projects have been given up. We have reserved only such projects as it would be uneconomical to leave three-fourths finished and not complete them and those we shall need for post-war purposes. We have slackened the building programme as much as we can.

Mr. Manu Subedar: I refer to the new projects which have been started since the cessation of hostilities. Even if they are considered necessary for the military in due course, will not my Honourable friend consider this that they may be taken not with the same speed and with the same monopoly of building materials as you have been doing in the past and that housing needs for civil population may be given precedence?

Mr. P. Mason: Yes, Sir, we will consider that.

Seth Govind Das: Is it not a fact that cement is available now for private use, but that iron and steel are not available for ordinary civilian consumers?

Mr. P. Mason: I must ask for notice.

Dr. Sir Zia Uddin Ahmad: I understand it is released now.

BRITISH AND ALLIED TROOPS IN INDIA

184. *Mr. Manu Subedar: (a) Will the War Secretary please state the highest total number during the war in India of the (i) British troops, (ii) U.S.A. troops, and (iii) troops of other Allies?

(b) What is the number of troops under these categories now?

(c) By what time and in what stages is it proposed to reduce this number?

(d) What is the minimum number of British troops, which will be maintained in India as part of the Indian army?

(e) Is it a fact that all orders and instructions in connection with the recruitment, promotion, retirement and changes in connection with the British section of the army in India are received from the War Council in the United Kingdom, or from Generals and officials directly responsible to the War Council?

(f) Is it a fact that the Government of India have no power whatsoever in regard to this matter?

Mr. P. Mason: (a) (i) British troops—246,000, (ii) American troops—170,000, (iii) Troops of other Allies—58,393.

(b) I am afraid it would not be in the public interest to disclose the number of troops at present in India.

(c) British and African troops are now being returned to the United Kingdom and Africa as they become eligible for release and repatriation, and as shipping becomes available.

Troops of the U. S. Army are rapidly leaving and will all be gone by the end of March, except for a few engaged in the disposal of U. S. stores and assets in India.

There are negligible numbers of other Allied troops in the country now and most of them are on the point of departure.

(d) The number of British troops to remain in India eventually will be for the decision of the future Government of India.

(e) and (f). Yes, Sir, Decisions as to the recruitment, promotion and retirement of British Units of the Army in India are received from the War Office.

All orders and instructions relating to British personnel serving with the Indian Army are issued by the Government of India.

Mr. Manu Subedar: With reference to part (d), what is the minimum number of British troops which will be maintained in India as part of the Indian army? My Honourable friend says that it is left to the future Government of India. Until the future Government of India is installed—if it is not merely British propaganda to talk of future Governments—has he not received instructions from the United Kingdom on this subject, which is giving instructions on every army issue?

Mr. P. Mason: No, Sir, most emphatically not.

Mr. Manu Subedar: At what stage will the question be decided about the final number to which the British troops in this country will be brought down?

Mr. P. Mason: On the assumption that there will be a transfer of power some time during the next summer; the period under consideration is only six months so that no question of a minimum arises.

Mr. Frank R. Anthony: Has the attention of the Honourable Member been drawn to a recent debate in the House of Commons where it was alleged that there is an unnecessarily large number of British troops in this country?

Mr. P. Mason: No, Sir.

Mr. Frank R. Anthony: Was his attention drawn to a statement by Major Wyatt that the officers in the G.H.Q. are falling over one another and do not know what to do with themselves?

Mr. P. Mason: I have seen that, but I do not think it arises out of the question set down on the paper.

Mr. Manu Subedar: Will Government give this House a clear idea as to why the British personnel is so terribly discontented at the slowness of demobilisation and if I may ask on behalf of the Indian side of this House—why additional charges in connection with the British personnel is still being heaped on the head of India?

Mr. P. Mason: The reason why they are discontented is that they want to leave India; and they cannot go away because of lack of shipping.

INDIAN TROOPS SENT ABROAD AFTER CESSATION OF HOSTILITIES

185. *Mr. P. B. Gole: (a) Will the War Secretary be pleased to state the names of the Countries where the Indian troops were sent for quelling local disturbances after the cessation of hostilities with the Axis Nations?

(b) At whose instance were the Indian troops sent?

(c) Was sending of such troops necessary for the defence of India?

(d) Who has borne the expenses of these troops?

(e) What is the number of troops so sent, and the number of casualties?

Mr. P. Mason: (a) Indian troops have *not* been sent to any country for the purpose of quelling disturbances. The forces of the United Nations, including Indian Forces, have been sent to all countries which, during the war were enemy or enemy occupied, for the purpose of imprisoning enemy troops, and releasing prisoners of war and civilian internees. For these purposes Indian troops have been sent, since the end of hostilities to Greece, Malaya, Siam, French Indo-China, Netherlands East Indies and Borneo.

(b) Indian troops like any other forces of the United Nations were sent to various places during and after the war by the Supreme Allied Commander of the theatre in question acting on a policy agreed to by all the Governments interested.

(c) Yes, Sir. It was the logical outcome of the successful defence of India.

(d) His Majesty's Government in the United Kingdom.

(e) I am sorry that I cannot give these figures in the public interest.

Mr. P. B. Gole: May I know what kind of defence of India was involved in sending out Indian troops after the cessation of hostilities?

Mr. P. Mason: As I have explained, it was the logical outcome of the successful defence of India. As I explained in the debate the other day, it naturally follows on the conclusion of hostilities that the troops which have obtained a victory move forward to occupy the enemy's territories.

Mr. P. B. Gole: May I know if the sending of troops to Indonesia was necessary for the defence of India?

Mr. P. Mason: My answer is the same as the answer which I have just given.

Prof. N. G. Ranga: When will the time come, in the view of Government, when it will not be necessary to move Indian troops abroad on the orders of the Allied Command or of the British Command?

Mr. P. Mason: They are not sent abroad on the orders of any authority outside India.

Mr. Manu Subedar: Are they not sent in accordance with the orders of the Defence Council sitting in London?

Mr. P. Mason: Orders are issued by the Government of India.

Mr. Manu Subedar: But are no instructions received from the Defence Council in London?

Mr. P. Mason: Not instructions but consultation.

Mr. Manu Subedar: Only two minutes ago my Honourable friend said in reply to a question of mine that these instructions are received from London. I refer to clause (e) of question No. 184.

Mr. P. Mason: That is about recruitment, promotion, and retirement of British Units of the Army in India; it has nothing to do with operations or movements of troops.

Sri M. Ananthasayanam Ayyangar: May I know what the cost of these movements has been after the cessation of hostilities?

Mr. P. Mason: That is a matter for His Majesty's Government; so I have got no figures about it.

Sri M. Ananthasayanam Ayyangar: Is not the cost incurred in the first instance from the Indian exchequer?

Mr. P. Mason: No, Sir.

Shri Mohan Lal Saksena: Were the views of this House regarding the sending of troops to Indonesia communicated to the representatives of the Government of India in the U.N.O.?

Mr. P. Mason: I have a number of questions down on that subject.

DEATHS OF I. N. A. PRISONERS

186. *Mr. P. B. Gole: (a) Will the War Secretary please state the number of the I.N.A. soldiers who died in Indian or other prisons during the period of detention?

(b) Were any of the I.N.A. prisoners shot while in detention? If so, by whom?

(c) For what offences, if any, were they shot?

(d) Were they tried before they were shot?

Mr. P. Mason: (a) The number of military personnel of the I.N.A. who died in hospitals attached to detention camps is five.

(b) In addition to two who died of self-inflicted wounds, one military member of the I.N.A. has been shot while in detention. He was shot by a sentry, as has been more than once explained.

(c) He was shot while trying to escape.

(d) The question of trial obviously did not arise in these circumstances.

Prof. N. G. Ranga: The Honourable Member said earlier that there was a court of inquiry appointed: Are we to understand that according to Government, it is not necessary that the accused should be provided with defence facilities?

Mr. President: Order, Order. I am afraid the Honourable Member has not understood the point. The inquiry was with reference to the sentry who shot, whether the shooting was proper or not. The accused was the sentry, not the other man.

Shri Sri Prakasa: The Honourable Member says that while the inquiry was in progress no questions were asked of the person concerned.

Mr. President: That will be a different matter.

Prof. N. G. Ranga: I am obliged to the Chair for correcting me. My question is this: "Are we to understand that Government's idea of a court of inquiry is that the person who was really the victim of the shooting incident was not to be given any opportunities whatsoever to state his case before that court of inquiry?"

Mr. P. Mason: The procedure of a court of inquiry depends on the circumstances; and in those circumstances, after considering the evidence that was available, it did not appear necessary to take the evidence of Jamadar Dharam Singh.

Shri Sri Prakasa: Was the statement corroborated that he was challenged six times?

Mr. P. Mason: Yes, Sir, that is the finding of the court of inquiry.

Mr. P. B. Gole: May I know where this enquiry took place?

Mr. P. Mason: On the spot.

FOREIGNERS OF ASIATIC DOMICILE UNDER DETENTION

187. *Mr. Ahmed E. H. Jaffer: (a) Will the Honourable the Home Member be pleased to lay on the table of the House a complete and up-to-date list of foreigners of Asiatic domicile who are detained or interned in India by the orders of the Government of India, showing their names, their ages, their countries of origin or domicile as well as the reasons for detaining them, the time since when and the places where they are kept in detention and the allowances being paid to each of them for their maintenance?

(b) Is it a fact that in the Karwar Jail in the Bombay Province, the Government of India is detaining, since a very long time, male and female members of a once distinguished family of Kabul in Afghanistan?

(c) If the answer to (b) above be in the affirmative, will the Honourable Member please state:

(i) the number and names as also the ages of these Afghan detainees,
 (ii) the status and standing their family enjoyed in Afghanistan in the past,
 (iii) the circumstances under and the conditions on which these Afghans fell into the custody of Government; and

(iv) the direct offence against Government for which it has chosen to consign these respectable Afghans to the rigours and hardships of jail life without trial?

(d) If these Afghans now rotting in the Karwar Jail are detained there without any trial, have Government any intention of trying them in a regular court of law or setting them free if their detention was for any consideration connected with the recent great war which now has happily ended?

The Honourable Sir John Thorne: The questions should have been addressed to the Secretary of the External Affairs Department.

Sri M. Ananthasayanam Ayyangar: Sir, I submit that the list of subjects put under the various Departments are so varied that in spite of all our care we sometimes find it difficult to address the proper Department. I suggest that in such cases if any Honourable Member feels that a question relates to some other Department it should be passed on to that Department immediately. I request that the Chair may be pleased to give a direction in those terms.

Mr. President: At the time of admission of questions such corrections are made. But if there has been a slip now, the Honourable Member has got the answer; he may put the question again.

Mr. M. Asaf Ali: Sir, on a point of order, I really do not understand this attitude of Government in trying to evade answers. If a question does not relate to a particular Honourable Member's Department, is it or is it not his duty to pass it on to the proper quarters? And is it right for him to stand up here and say that it does not relate to his own Department? I think it is a very improper attitude to adopt.

Hajee Abdus Sattar Haji Ishaq Seth: Sir, with regard to such questions the arrangement in the last Assembly was that the Department addressed, if it was not concerned with the question, itself transferred it to the other Department and it was answered on the day that Department's turn was due in this House. I think that should be the arrangement now also.

The Honourable Sir John Thorne: That has been done in this case.

Mr. President: It is a question of propriety, not of any point of order.

Mr. Ahmed E. H. Jaffer: I gave notice of this question a month ago. It was admitted when you, Sir, occupied the Chair on the first day, and I fail to understand why this has not been forwarded to the External Affairs Department.

Mr. President: The matter has now been closed by the explanation given, and by the consent given. It may be answered very early.

AFGHAN DETENUS IN POONA.

Mr. Asaf Ali: May I have an assurance either from the Chair or from the Government that in future such answers will not be considered anything else but as waste of the time of the House?

Mr. President: Next question.

AFGHAN DETENUS IN POONA.

†188. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that three-Afghan brothers of a high family of Kabul in Afghanistan are being detained by Government under surveillance within the limits of the Poona City and suburban areas?

(b) If the answer to (a) above be in the affirmative, will the Honourable Member kindly state:

(i) their names and ages;

(ii) their family standing in Afghanistan;

(iii) the posts or profession which they held or followed in their own country before tripping into its custody in India;

(iv) the circumstances under which they fell into the hands of Government; and

(v) the reason for which they are being detained at Poona?

(c) Is it a fact that the Afghan detainees in Poona have been paid Rs. 60 per month each for their maintenance including house rent, medical expenses, as well as clothing charges up to very lately through all the abnormally expensive years of the recent war?

(d) Is it a fact that only two or three months back Government after receiving repeated representations from these scions of a noble Afghan family have been pleased to raise their monthly allowance to the sum of Rs. 80 per month for each?

(e) Is it a fact that the Afghan internees in Poona are not allowed by Government to engage in any service or business whereby they might be able to earn enough to live above penury which is their present lot?

(f) If the answer to (c), (d) and (e) above be in the affirmative, will the Honourable Member please state if the allowances given by Government to the Afghan internees in Poona stand justified in the light of its own periodical living cost indexes *vis-a-vis* the standard of living to which these internees have been accustomed in their own country?

AFGHAN DETENUS IN POONA.

†189. ***Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that the Afghan internees in Poona have behaved worthily throughout the period of their detention in Poona and that they themselves have no desire to return to Afghanistan under its present regime?

(b) If the answer to (a) above be in the affirmative, have Government any objection to removing them from their present surveillance and detention in order to let them settle down as independent citizens with permission to engage in any trade or calling?

(c) If answer to (a) above be in the negative, does the Honourable Member propose to issue early orders removing all restrictions on these internees or in the alternative raise the amount of their allowances to a figure compatible with the standard of living to which they have been accustomed in their own country and with the prevailing high cost of living in Poona?

"TRUSTIFICATION" OF ALL THE PRESS

190. ***Mr. Ahmed E. H. Jaffer:** Will the Honourable Member for Information and Broadcasting be pleased to state if action is contemplated at an early date against what is sometimes called the "Trustification of all the Press" in India?

The Honourable Sir Akbar Hydari: If by "Trustification of all the Press" the Honourable Member's reference is to the Indian and Eastern Newspaper Society's proposal to start an Indian Press Agency, the answer is that such an agency has not so far been formed.

Mr. Ahmed E. H. Jaffer: Is it a fact that talks are in progress between the Tory newspaper magnate Lord Kensley and Birla Brothers of Calcutta for bringing into existence in India an institution for checking irresponsible international news-reporting?

The Honourable Sir Akbar Hydari: I have no information, Sir.

INDIAN OPINION ON INDONESIA QUESTION

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

(a) if Government are aware of the wide-spread sympathy shown by the Indian public for the people of the Indonesia and Indo-China in their struggle for freedom and also the popular observance of the South East Asia Day, organised by the National Congress in the last week of October, 1945;

(b) whether Government have informed the British Government about this state of Indian public opinion; and, if so, whether Government will place on the table of the House extracts from that report; and

(c) whether Government have made any protest to the British Government against the use of Indian Troops in Indonesia and Indo China; if so, how often and with what results?

Mr. P. Mason: (a) Yes, Sir, but references to the struggle for freedom of the people of Indonesia and Indo-China have been made without an adequate appreciation of the facts of the situation, which were explained in the course of the debate on the 21st of last month on Prof. Ranga's adjournment motion on this subject.

(b) Yes, Sir, Government have informed His Majesty's Government in the United Kingdom of the state of Indian public opinion; but I am afraid it will not be in the public interest to publish the communications between the two Governments.

(c) The Government of India have forwarded to His Majesty's Government copies of the debate referred to above. His Majesty's Government have assured us that they appreciate the distasteful nature of the duties which the developments in the Netherlands East Indies have imposed upon British and Indian troops in the course of the discharge of the obligations laid upon them by the Anglo-American Chiefs of Staff.

Prof. N. G. Ranga: Have Government heard since from the British Government what they feel about the adjournment motion passed by this House in regard to this matter?

Mr. P. Mason: I have just read out their views.

Prof. N. G. Ranga: When was that reply received? My Honourable friend gave no answer the other day in the course of his reply on the adjournment motion moved by me as to why the Government of India have sent Indian troops to Indo-China.

Mr. P. Mason: I explained the other day that at the beginning of this year there were two Brigades in Indo-China. One of them has now come out; there is one Brigade left. It is exclusively engaged in guarding the Japanese Prisoners of War and has nothing whatever to do with the internal affairs of Indo-China.

Mr. Muhammad Nauman: May I know whether the Government of India has protested with regard to this matter, or not?

Mr. P. Mason: I have stated the nature of the communication, but I cannot go further into details.

Sri M. Ananthasayanam Ayyangar: What steps the Government of India have taken to withdraw the rest of the troops?

Mr. P. Mason: Sir, as I have explained, none.

Sri M. Ananthasayanam Ayyangar: Is it making any attempt in that direction to carry out the wishes of the people in this country?

Mr. P. Mason: Not until the objects are completed.

Shri Mohan Lal Saksena: May I know whether the views of this House on this subject were communicated to the Government of India representative on the United Nations Organisation?

Mr. P. Mason: I am afraid that question must be addressed to my Honourable friend in charge of the External Affairs Department.

REDUCTION OF SIZE OF INFORMATION BUREAU

192. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Information and Broadcasting please state:

(a) if he is aware that the British Ministry of Information has been drastically reduced in numbers and proposed to be abolished in a month or two; and

(b) if any steps are being taken to reduce the Information Bureau to its pre-war size and do away with all the war-time jobs in respect of the Information side of the Department, and so, what steps are proposed to be taken, if not, why not?

The Honourable Sir Akbar Hydari: (a) I understand that the Ministry of Information as such is being abolished. I am not aware whether as a result there will be drastic economy in expenditure as some if not all its functions will continue to be performed under different ministerial direction.

(b) The Press Information Bureau is being retained. I hope that as a result of certain measures now being taken it will continue to be of assistance to the Press and through the press to the public in the different conditions of the present day. So long as it remains in being the expenditure on it is likely to be much more than in the years before the war.

Mr. Mann Subedar: Will this Government follow the good example of the United Kingdom Government in abolishing the British Ministry of Information, and abolish the separate Information Department which they have instituted during the war?

The Honourable Sir Akbar Hydari: Sir, we need not follow the example of His Majesty's Government in all respects.

Prof. N. G. Ranga: Are we to understand that the Government of India has much more to publicize than the British Government?

The Honourable Sir Akbar Hydari: You may think what you like.

Sri M. Ananthasayanam Ayyangar: May we know if they are proposing to reduce the expenditure on this to any level or to the level of the pre-war period?

The Honourable Sir Akbar Hydari: I have already said in answer to part (b) of the question, that the expenditure now will be much more than in pre-war days.

Sri M. Ananthasayanam Ayyangar: What is the present expenditure and what is the probable estimate?

The Honourable Sir Akbar Hydari: On the Press Information Bureau, the expenditure for 1945-46 anticipated is Rs. 15,82,000. The proposed budget for 1946-47 is Rs. 15,00,000.

Sri M. Ananthasayanam Ayyangar: May I know what the pre-war expenditure in 1938-39 was?

The Honourable Sir Akbar Hydari: Rs. 2,41,000.

Sri M. Ananthasayanam Ayyangar: What is the object in maintaining the same level now, and what steps are being taken to see if it is possible to curtail the expenditure? What is the further programme of work that is set on foot?

The Honourable Sir Akbar Hydari: It is difficult to explain this by process of questions and answers. If the Honourable Member will come and see me, I will give him a full explanation.

Sri M. Ananthasayanam Ayyangar: I wanted for the information of the whole House.

The Honourable Sir Akbar Hydari: It will take the time of the House if I proceed to make a speech.

"UNITED PUBLICATIONS" AND OTHER PUBLICATION AGENCIES

193. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Information and Broadcasting please state:

- if his Department is responsible for "United Publications" which produces certain books;
- if there are any other agencies for which the Department is responsible;
- the names of any books or pamphlets which these agencies have brought out so far, together with their authors and their prices, and whether they are all available in the Library of the Central Legislature;
- where these publications are printed, and in case they are not printed in the Government Press what amounts have been so paid so far and to whom towards the printing and other charges; and
- the number of people—officers and Assistants—employed in the bringing out of these publications, with their designations and the salary they are drawing?

The Honourable Sir Akbar Hydari: (a) Yes.

(b) Certain publications are produced by All India Radio, the Press Information Bureau, the Field Publicity Organisation and Information Films of India.

(c) to (e). A list of magazines in regular production by the Publications Division with their prices is placed on the table of the House. They are available in the Library of the Legislature. They are printed partly in the Publications Division Press and partly at presses at various places in India. The total amount at present paid to private presses is approximately Rs. 21,500 per month. The total number of persons employed in the Publications Division is 254, made up of 20 officers and 234 others. A detailed list of these officers and members of the staff is available in the Library of the Legislature.

As regards similar information in respect of other agencies under this Department, a statement is laid on the table.

Name of the magazine	Language in which produced	Price per copy		
		Rs.	A.	p.
Al Nafir	Arabic	1	0	0
Shaipur	Persian	1	0	0
Ahnag (Bilingual)	English and Persian	1	0	0
Taj Mahal	Afghan-Persian	0	4	0
Al Arab	Arabic	1	0	0
Lytopsis Indii	Russian	1	0	0
Perspective	English	1	8	0
India	English and Chinese	0	4	0
Ajkal	Urdu	0	6	0
Ajkal	Hindi	0	6	0
Naunihal	Urdu	0	4	0
Heyday	English	0	4	0
Foreign Review	English	0	6	0
Zhwand	Pushtu	0	4	0
Indian Trade Bulletin	English	0	2	0
Onward	English	0	8	0
Dunya (Bilingual)	English-Roman Urdu	0	4	0
	English Hindi	0	4	0
	Urdu-Pushtu	0	4	0
	English-Russian	0	4	0
	English-Persian	0	4	0

NOTE.—Prices given are those for sale in India. Prices for sale in foreign countries, vary, and are expressed in the currency of those countries.

Name of agency	Name of publication	Whether available in the Library of the Legislature	Where printed. If not at Government Press, why not	Monthly cost	Staff employed in editing and printing and their salaries
All India Radio	Indian Listener (English)	No.*	Latif Press, Delhi	42,169	Editor, Rs. 500—25—700. Asstt. Editor, Rs. 200—15—450. 3 Sub-Editors, Rs. 150—10—300 for Indian Listener, Awaz and Sarang.
	Awaz (Urdu)	No*	Jayyad Press, Delhi	56,822	
	Sarung (Hindi)	No*	Do.	32,748	
	Betar Jagat (Bengali)	No*	The General Printers & Publishers, Calcutta.	8,257	Asstt. Editor, vacant (Scale Rs. 200—15—450).
	Vanoli (Tamil)	No*	St. Joseph Industrial School Press, Trichinopoly.	31,910	Asstt. Editor, vacant (Scale Rs. 200—16—450).
Field Publicity Organization	Speakers Digest (English)	No*	Government of India Press.	711	No Staff is exclusively employed for Speakers Digest. The Production Officers of the Field Publicity Organization produce it. This staff consists of— 1. Production Officer, Rs. 1,000—50—1,100. 2. Writers, Rs. 700—50—1,000. 3. Junior Writers, Rs. 400—20—600.

STARRED QUESTIONS AND ANSWERS

Press Information Bureau	Indian (English)	Information	Yes	Civil and Military Gazette Press, Lahore.	4,747 (exclusive of cost of paper which is supplied by Controller of Printing and Stationery).	1 Information Officer, Rs. 700—50—1,100. 1 Asstt. Information Officer, Rs. 400—20—500—25—600. 1 Journalist, Rs. 300—10—400.
	Markazi Itilaa (Urdu)		Yes	Mufide-Am Press, Lahore	1,417 (exclusive of cost of paper)	2 Asstt. Information Officers, Rs. 400—20—500—25—600. 2 Journalists, Rs. 200—10—300 for Markazi Itilaa and Bhartiya Samachar.
	Bharatiya (Hindi)	Samachar	Yes	Do..	1,400 (exclusive of cost of paper)	
Information Films of India	IFI News (English)		No*	New Era Printing Press, Bombay.	125	No separate staff is employed for the production of IFI News and IFI Annual. The work is done by Public Relations Officer (Pay Rs. 600—20—750) and one Technical Assistant on Rs. 160—10—200 in addition to their other duties.
	IFI Annual (English)		No*	Wagle Process Studio & Press, Ltd., Bombay.	417	

(With the exception of Speakers Digest none of the publications are of a nature for which the Govt. of India Presses are equipped).

Prof. N. G. Ranga: What is the purpose these publications are supposed to serve? Is it to advance adult education in this country or elementary education?

The Honourable Sir Akbar Hydari: It is difficult to answer this question. These publications are both for purposes of internal publicity as well as external publicity, and the objectives are different. In respect of publications which deal with internal publicity, they are educational and informative in their objective; I cannot say whether it is in aid of elementary education or secondary education. In regard to the publications which are meant for the Middle East, and now will be meant for countries of the Far East, they will be in aid of India's efforts to expand her commerce and knowledge of the countries with which she is intimately connected.

Mr. President: Next question.

EDITOR OF *Perspective*

194. *Sri M. Ananthasayanam Ayyangar: Will the Honourable Member for Information and Broadcasting please state:

(a) whether one Miss Ouwerkerke is the editor of a publication called *Perspective* published by the United Publications; and, if so, what her nationality is and how she was recruited for the post and what she is paid;

(b) if any of these publications are meant as propaganda; and, if so, the object of such propaganda;

(c) if persons with the necessary qualifications for writing such books could not be found in India itself; and

(d) how long it is proposed to continue these publications and the staff engaged to bring out such publications?

The Honourable Sir Akbar Hydari: (a) Yes. Her salary is Rs. 850 in the scale of Rs. 800—50—1,000.

(b) Yes, in support of India's interests, commercial, cultural, etc.

(c) Yes, a good many are Indians.

(d) The question is under examination.

Sri M. Ananthasayanam Ayyangar: What are the qualifications for being the editor of the publication called *Perspective* and for being employed on Rs. 800.

The Honourable Sir Akbar Hydari: I will give the Honourable Member the information later.

Mr. Manu Subedar: The Honourable Member has not replied with regard to the nationality of this person in (a) of the question.

The Honourable Sir Akbar Hydari: She is a British subject.

Prof. N. G. Ranga: Is she also an expert in this matter that she should have been brought to this country and paid this high salary?

The Honourable Sir Akbar Hydari: She is a very competent worker I understand. But I will give the Honourable Member information as to her qualifications. I am sorry I have not got them.

An Honourable Member: She became an expert after she got the job?

Lt.-Col. Dr. J. O. Chatterjee: She is an Honours Graduate of Cambridge and has had 25 years' of teaching experience in first rate colleges in this country.

Prof. N. G. Ranga: Are we to understand that the Government has failed to find an equally competent Cambridge Graduate among the Indian women and therefore they have chosen this particular lady and given an opportunity for my Honourable friend to defend her.

Mr. President: Order, order.

Shri Sri Prakasa: May we know how the name is pronounced?

Lt.-Col. Dr. J. C. Chatterjee: "Ouwerkerke".

Shri Sri Prakasa: "Our care"! Not their care!

Sri M. Ananthasayanam Ayyangar: What steps have been taken to find out persons of the necessary qualifications with regard to part (c) in India itself?

The Honourable Sir Akbar Hydari: Persons with the necessary qualifications for the writing of books can be found in India. I have answered that a good many are Indians in the publications division of which Miss Ouwerkerke is a member. There are quite a considerable number of Indian writers, both men and women.

Shri Sri Prakasa: Does it rhyme with "Savarkar"!

Mr. President: Next question.

GIRLS IN UNIFORM FOUND DEAD ON AGRA-DELHI ROAD

195. ***Sri M. Ananthasayanam Ayyangar:** Will the War Secretary please state:

(a) if his attention has been drawn to the article in *Blitz* of the 22nd December, 1945, headed "The Girl in Uniform: India's Hardest Problem", and to the allegations made therein;

(b) the details of the incident said to have been witnessed by the author of the article on the 15th December, 1945, on the Agra-Delhi Road, where two soldiers were found being attended by some officers with the horribly mutilated corpses of two girls lying nearby;

(c) the names of the two soldiers and of the two girls in question, together with any report that was called for or made on the occurrence; and

(d) if the relatives of the dead girls were communicated with?

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

(b) At about quarter past four in the afternoon of the 15th of December last a jeep ran off the Delhi-Agra Road about 20 miles north of Agra, hit a tree, rolled over 3 times and finally came to rest on its wheels about 35 yards from the place where it left the road. The four occupants were thrown out, two girls being killed instantly and the two men seriously injured.

(c) Sergeants R. J. Martin and H. Goad of the American Army, Miss Dorothy Clark and Miss Thelma Reid. Government have seen the report on the accident which was made by the American military authorities.

(d) Yes, Sir.

Sri M. Ananthasayanam Ayyangar: What steps have been taken to punish those persons who are guilty of this?

Mr. P. Mason: Guilty of what?

Sri M. Ananthasayanam Ayyangar: Is this due to an accident or due to anything else? I did not follow the answer. That is why I asked my Honourable friend to read slowly and loudly.

Mr. P. Mason: Do you want me to read it all over again?

(Mr. P. Mason then read the answer again.)

Mr. Manu Subedar: Have Government enquired into the circumstances under which these two girls came to be with these two soldiers and for what purpose?

Mr. P. Mason: Certainly not.

Sri M. Ananthasayanam Ayyangar: Was any compensation given?

Mr. President: Next question.

RESIGNATIONS OF COL. RANGA RAO AND OTHERS FROM W.A.C.(I) ORGANISATION

196. ***Sri M. Ananthasayanam Ayyangar:** Will the War Secretary please state:

(a) the circumstances which led to the resignation of Col. Ranga Rao from the W.A.C.(I) Organisation;

(b) the circumstances which led to the resignations of the other officers mentioned in the article, Mrs. Srinivasa, Mrs. Vasi and Miss Pauline Thomas;

(c) whether any more officers resigned from the W.A.C.(I) in any period before the end of the hostilities in August, 1945, and, if so, their names, and why they resigned;

(d) how long it is proposed to continue this W.A.C.(I) Organisation, and for what purposes;

(e) the number of Europeans, Anglo-Indians and Indians in the W.A.C.(I) together with their designations and the salaries they are paid; and

(f) whether their duties cannot be performed by men, in view of army demobilisation and general unemployment in the country?

Mr. P. Mason: (a) Miss Ranga Rao was appointed Deputy Director W.A.C.(I) with the acting rank of Controller on the 20th December 1944.

Before joining the Corps Miss Ranga Rao was informed of the nature of the duties which she would perform which were as follows:

(i) To act in an advisory capacity to the Director W.A.C.(I) in all matters concerning Indian members of the Corps.

(ii) To take over from the other Deputy Director the duties as she learnt them, she was to perform as a staff officer. This necessitated a detailed knowledge of all W.A.C.(I) terms of service and regulations.

(iii) To carry out tours of inspection. This included inspections of Hospitals and messing arrangements, investigation into morale and women management and contact with prominent Indian ladies for propaganda purposes.

In March 1945 Controller Warren was appointed Deputy Director in place of Controller Douglas. Miss Ranga Rao protested against this appointment on the ground that she had not been consulted regarding the change and that she had been superseded. It was then explained to her that Controller Warren had joined the Corps in September 1942 whereas Miss Ranga Rao had only three months' service and moreover such appointments were made by a Selection Board.

In May 1945 Controller Ranga Rao asked that she might be relieved of her duties as Deputy Director as she considered that she was not being consulted in matters of policy and that she was not permitted free access to files. It was explained that all senior officers in the Directorate were given the opportunity of expressing their views on all questions and that decisions were taken with due regard to the advice made. Major questions of policy were decided not in the W.A.C.(I) Directorate but by the A. G. or War Department.

When asking to be relieved of her duties as Deputy Director Miss Ranga Rao had expressed her willingness to revert to the position of Honorary Adviser, an appointment which had been originally suggested. However after further deliberation she decided to resign her commission, and this resignation was regretfully accepted on the 1st September, 1945.

(b) Mrs. Srinivasa, and Miss Pauline Thomas resigned from the Corps in October 1945 as a protest against alleged discrimination.

Junior Commander Vasi was permitted to resign her commission in June 1945 on her marriage.

(c) Junior Commander Henry, 4/Officer Bonner and Junior Commander Wahid tendered their resignations on account of the alleged discrimination in the Corps and their resignations were accepted on the 5th October, 28th October and 5th December, 1945, respectively.

Junior Commander Arunbhati was released from the Corps with effect from the 5th May 1945, in order to undertake work of National importance in a civilian capacity.

2nd Officer Naidu was permitted to resign her commission on the 14th August 1945, on the occasion of her marriage.

The 4th Officer Bhagwat was permitted to resign her commission with effect from the 22nd August on medical grounds.

(d) It has been decided to disband the W.A.C.(I) Organisation.

(e) I lay a statement on the table.

(f) In view of the decision to disband the W.A.C.(I) the duties hitherto performed by them will gradually be taken over by men.

W.A.C. (I) Officers

	British	Indian	Anglo-Indian	Others	Total	Pay
S. Controller	1				1	980
Controller	4	..			4	865
Ch. Comdr.	12	1	..	..	13	575
Sen. Comdr.	67	4	8	3	82	380
Jun. Comdr.	287	47	92	14	440	220
Subaltern	83	18	32	4	137	175
2/Subaltern	55	17	27	6	105	150
Total.	509	87	159	27	782	

W.R.I.N. Officers

Ch. Officer	1	..	..	..	1	575
1st Officer	8	..	..	..	8	380
2nd Officer	42	13	8	3	66	220
3rd Officer	48	33	18	3	102	175
4th Officer	18	19	11	2	50	150
Total.	117	65	37	8	227	
Grand Total	626	152	196	35	1,009	

Auxiliaries

	Total	Pay
W. O. I	192	185
W.O. II	113	145
S/Sgt	650	140
Sgt.	2,174	Varies between 115 and 135 according to trade.
L/Sgt.	505	Varies between 110 and 130 according to trade.
Cpl.	1,299	Varies between 105 and 130 according to trade.
L/Cpl.	699	Varies between 100 and 120 according to trade
Private	3,985	Varies between 95 and 125 according to trade.
Grand Total	9,567	

The Total of 9,567 Auxiliaries consists of:—

British	Indian	Anglo-Indian	Others	Total
1,112	4,077	3,956	422	9,567

Mr. Manu Subedar: May I know why Government has not held an enquiry into the alleged discrimination complained of by so many officers of the W.A.C. (I)? And if they have not done so up till now, will they consider holding such an enquiry in the near future to allay public feeling on the subject?

Mr. P. Mason: Departmental enquiries have been held.

Mr. Manu Subedar: Will Government appoint a committee of enquiry of this House and take up the challenges these W.A.C.(I) women have so frequently made?

Mr. P. Mason: I think it would be a waste of public time since the W.A.C. (I) is to be disbanded.

Mr. Manu Subedar: What have Government to fear if the allegations are wrong, may I know?

Mr. P. Mason: The only reason is that it would be a waste of time since it has been decided to disband the Corps.

Mr. Manu Subedar: Why have Government decided to disband the Corps instead of maintaining a useful Corps, if it was useful? If it is due entirely to alleged racial discrimination, why not hold an enquiry as demanded by public opinion throughout the country and the press.

Mr. P. Mason: The reasons for the disbandment of the Corps have been explained in the Statement on the 30th of last month.

Mr. President: The question hour is now over.

(b) WRITTEN ANSWERS

OFFICERS IN GENERAL HEADQUARTERS

197.***Sri M. Ananthasayanam Ayyangar:** Will the War Secretary please state:

(a) if his attention has been drawn to the letter in the *Hindustan Times* of the 24th December, 1945, about the number of officers in the General Headquarters;

(b) the number of the King's Commissioned Officers in the General Headquarters, (i) Indian, and (ii) British and others on the 1st of July, 1945;

(c) the number of similar officers on the 1st January, 1946;

(d) the number of British personnel other than officers in the General Headquarters on the 1st July, 1945, and on the 1st January, 1946;

(e) the number of Indian personnel as (i) V.C.O.s, (ii) clerks and Assistants, and (iii) Superintendents and above on the 1st July, 1945, and on the 1st January, 1946;

(f) if any retrenchment has been carried out so far in the General Headquarters after the close of the war; and, if so, to what extent;

(g) whether any officer has been put on special duty in this connection to retrench superfluous personnel both British and Indian; and

(h) whether any instructions have been issued with a view to replacing such British personnel as may be left, by Indian personnel within a specified period; and, if not, why not?

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

(b) Military commissioned officers (actual strength) in G.H.Q. on 1st July 1945:

(i) Indian	351
(ii) British and others	1,975

(c) Military commissioned officers (actual strength) in G.H.Q. on 1st January 1946:

(i) Indian	354
(ii) British and others	1,542

(d) British personnel (Other than officers) (actual strength) in G.H.Q.:

1-7-45	1,298
1-1-46	1,020

(e) Indian personnel (Actual strength):

	1-7-45	1-1-46
(i) VCOs	235	235
(ii) Clerks and Assistant	5,527	5,750
(iii) Superintendents and above	694	691

(f) The sanctioned establishment of G.H.Q. has been reduced to the following extent since the termination of hostilities:

Officer establishment	640
Subordinate establishment	439

(g) No, Sir. We are trying to avoid any new appointments.

(h) No, Sir. No such instructions have been issued; but the percentage of Indian personnel will steadily increase as temporary British personnel are able to obtain their release from war service for which they are in almost all cases, very anxious.

DEMOBILIZATION POLICY

198. *Sri M. Ananthasayanam Ayyangar: (a) Will the War Secretary please state the policy of Government for demobilisation both in respect of British and Indian soldiers?

(b) What is the period within which demobilisation will be complete?

(c) What is the number of British, Indian officers and other ranks to be so demobilised?

(d) What is the proposed strength of Land Force, Air Force and Naval Force intended to be kept in India both British and Indian as the Standing army?

(e) Has any provision been made for re-employment of demobilised soldiers? If so, what are the broad outlines of such a measure?

Mr. P. Mason: (a) The general policy for the demobilization of personnel of the British Army is determined by H.M.G. and the responsibilities in this respect of the Government of India are mainly confined to the despatch of such personnel to the U. K.

The policy of the Government of India with regard to the Indian Forces is on similar lines to that adopted in the U. K. and is directed towards securing a phased reduction of the Indian Armed Forces to a strength in accordance with post-war requirements.

The system adopted is one of release by groups. Each person is allotted a priority group based on his age plus length of war service. Each group is released simultaneously wherever located. This is known as Class A release.

The system also permit of Class B release in advance of their normal turn in the case of personnel who are required for urgent work of national reconstruction. There is also provision for Class C release on compassionate grounds.

There is however a fundamental difference in that while most British personnel are anxious to return to civil life, the majority of the Indian Army wish to serve on as long as they can. All volunteers for release are therefore permitted to go before age and service groups begin to operate.

(b) It is not yet possible to state when demobilization will be finally completed. By 1st April 1947 the vast majority of personnel surplus to peace requirements will have been disposed of.

(c) It is estimated that the following will have been demobilized by 1st April 1947:

British Officers	32,000
Indian Officers	7,000
B.O.Rs. *	180,000
V. C. Or., I. O. Rs. & N. C. E.	1,540,000

(d) The strength of the forces required for the defence of India in peace is still being discussed. Whether any of them will be British will be a matter for the decision of the future Government.

(e) Yes, Sir. I am laying on the table a progress report* prepared by the Department of Labour covering the period 18th July to 31st December, 1945, copies of which will be available in the Library of the House. The report gives details of the Employment Exchange Organisation and of a number of training schemes. Provincial Governments also have schemes in readiness including land colonization schemes exclusively for the benefit of ex-servicemen.

DETENTION OF SARDAR SARDUL SINGH CAVEESHAR

199. *Sardar Mangal Singh: Will the Honourable the Home Member please state:

(a) when Sardar Sardul Singh Caveeshar, President of the Forward Bloc was arrested;

(b) the charges against him and what replies he gave to them;

(c) the special reason why Sardar Sardul Singh Caveeshar has not been released so far while all the other prominent members including Shri Sarat Chandra Bose have been released; and

(d) whether Government will make a comprehensive statement as to the reasons why Sardar Sardul Singh Caveeshar has been selected for such a treatment; whether it is the Punjab Government that stands in the way of his release as has been stated by a section of the Punjab Press?

The Honourable Sir John Thorne: (a) On 9th March, 1942.

(b) I cannot undertake to give any information about the charges intimated to him or his replies thereto.

(c) and (d). As I have already informed the House, the question whether he should be released before the present order of detention expires is under consideration. The Punjab Government have been consulted; no reply has yet been received.

ILL-HEALTH OF SARDAR SARDUL SINGH CAVEESHAR

200. *Sardar Mangal Singh: Will the Honourable the Home Member please state:

(a) whether Government are aware that the official visitors including the present District Magistrate of Dharmshala where Sardar Sardul Singh Caveeshar is being detained for the last three years reported that Sardar Sardul Singh Caveeshar is suffering from rheumatism and that the climate of that place does not suit him;

(b) whether Government are aware that the Civil Surgeon of Dharmshala has written to the Punjab Government that the Sardar Sahib is suffering from rheumatism, that cold and rains of Dharmshala have aggravated his trouble, and that he should be given Diathermic treatment which is not available at that place;

(c) what action has been taken on these reports, or whether any medical treatment has been given to him as suggested by the Civil Surgeon; and

(d) whether these reports are sent to the Government of India; if not, whether the Honourable Member will call for them and take appropriate action in the matter?

The Honourable Sir John Thorne: (a) and (b). I have seen a report of the Civil Surgeon, Dharmshala recommending diathermic treatment for Mr. Caveeshar. I have not seen any report the climate of Dharmshala is injurious to his health. The Government of the Punjab have reported that it is on medical advice that he is kept there rather than in the plains.

(c) A report has been called for from the Punjab Government.

(d) The Government of India receive monthly health reports with respect to all their prisoners.

WITHDRAWAL OF INDIAN TROOPS FROM INDONESIA

201. *Sardar Mangal Singh: Will the War Secretary please state:

(a) what action, if any was taken on the adjournment motion passed by this House on the 21st January, 1946, regarding the withdrawal of Indian troops from Indonesia; and

(b) whether the copy of the debate was forwarded to His Majesty's Government, whether the Government of India also expressed their own opinion on the matter, and whether any reply was received from His Majesty's Government; if so, what that reply is?

Mr. P. Mason: (a) and (b). As I said a few minutes ago, a copy of the debate has been forwarded to His Majesty's Government. As I have also already explained, the Government of India and His Majesty's Government have both expressed their views on this subject.

INDIAN TROOP CASUALTIES IN INDONESIA

202. *Sardar Mangal Singh: Will the War Secretary please state:

(a) the total number of Casualties of the Indian troops in Indonesia suffered by them after the war with Japan ceased;

(b) the total number of the Indian troops employed in Indonesia in January, 1946; and

(c) whether any further reinforcement was also sent or will be sent in the near future?

Mr. P. Mason: (a) and (b). I would invite the attention of the Honourable Member to my reply given a few minutes ago to part (e) of Mr. Gole's question No. 185.

(c) No, Sir.

HOME MEMBER'S INTERVIEWS WITH SARDAR SARDUL SINGH CAVEESHAR AND OTHERS.

203. *Sardar Mangal Singh: Will the Honourable the Home Member please state:

(a) whether it is a fact that on or about the 21st January, 1946, Sardar Sardul Singh Caveeshar, the President of the Forward Bloc, was brought to the Delhi Jail and that the Honourable Member had an interview with him;

(b) whether the Honourable Member has had similar interviews with Mr. Jai Parkash Narain and Dr. Ram Manohar Lohia; and

(c) whether these interviews were held in connection with their release in the near future?

The Honourable Sir John Thorne: (a) to (c). I would refer the Honourable Member to the statement I made in this matter in connection with the adjournment motion moved by Mr. Mohan Lal Saksena in this House on the 25th. January, 1946, on the subject detenus.

SUBSIDY TO *New Horizons*

204. *Haji Abdus Sattar Haji Ishaq Seth: Will the Honourable Member for Information and Broadcasting be pleased to state:

(a) whether the monthly journal "*New Horizons*" published from Allahabad is subsidized by Government, if so, to what extent;

(b) whether any financial help is given to this journal at least by way of purchasing a number of Copies; and

(c) whether his attention has been drawn to the article "Whether Indian Communists" in the January, 1946, number?

The Honourable Sir Akbar Hydari: (a) and (b). A thousand copies of each issue are purchased for distribution.

(c) Yes.

REVISION OF CASES OF MR. JAIPRAKASH NARAYAN AND OTHERS

205. *Shri Sri Prakasa: Will the Honourable the Home Member be pleased to state:

(a) when the cases of Mr. Jaiprakash Narayan, Dr. Ram Manohar Lohia, and Sardar Sardul Singh Caveeshar were last examined;

(b) when they were last informed of the charges against them; and what, if any, were the replies received from them;

(c) what orders were last passed on them continuing the detention, and what was the period specified for their further detention;

(d) the state of the health of all these persons, and the places of their present confinement; and

(e) the amenities provided for them on behalf of Government in the matter of books, correspondence, interviews and newspapers; and if they are permitted to supplement their food?

The Honourable Sir John Thorne: (a) The periodical review prescribed by law was last carried out in the cases of Messrs. Jayaprakash Narayan and Ram Manohar Lohia in November, 1945, and in the case of Mr. Sardul Singh Caveeshar in December, 1945. But their cases are considered at other times also and are being further considered now.

(b) The notices required by section 7 of Ordinance III were sent to Mr. Sardul Singh Caveeshar on the 8th February, 1944; to Mr. Ram Manohar Lohia on the 10th July, 1944; and to Mr. Jayaprakash Narayan on the 9th August, 1944. I cannot undertake to give information about any replies received thereto.

(c) Orders extending the period of detention of Messrs. Jayaprakash Narayan and Ram Manohar Lohia were passed in November, 1945 and of Mr. Sardul Singh Caveeshar in December, 1945. No period was specified therein.

(d) Messrs. Jayaprakash Narayan and Ram Manohar Lohia are in the Central Jail at Agra and Mr. Sardul Singh Caveeshar in the Jail at Dharmshala. The health of all is reported to be satisfactory except that Mr. Sardul Singh Caveeshar suffers from occasional pain in the back.

(e) Messrs. Jayaprakash Narayan and Ram Manohar Lohia are subject to the United Provinces' Security Prisoners' Rules and Mr. Sardul Singh Caveeshar to the Punjab Security Prisoners' Rules and they enjoy all the amenities provided therein.

I. N. A. PRISONERS

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

(a) the number of I.N.A. men at present—(i) kept by Government in custody without trial, and (ii) undergoing sentences in various prisons of India;

(b) the classification that is awarded to them; and

(c) the amount of money that is spent on each of them on an average?

Mr. P. Mason: (a) (i) On the 19th January, the number in India was 4,225. (ii) 16.

(b) As I have explained before, those who are in detention are treated as soldiers under arrest. As regards those who are under-going sentences in various prisons, they are treated as ordinary convicted criminal prisoners. One of them who is in an Indian Military Prison is governed by the rules for Indian Military Prisons.

(c) To work out actuarially a figure in answer to this part of the question would involve more time and labour than it would be worth.

"QUIT INDIA" ABSCONDERS

207. *Shri Mohan Lal Saksena: (a) Will the Honourable the Home Member be pleased to state the names of all those men and women who were declared absconders in connection with the 'Quit India' movement and against whom warrants have not been cancelled?

(b) Will Government consider the advisability of cancelling all such warrants?

The Honourable Sir John Thorne: (a) There are no such persons absconding from the orders of the Central Government or Chief Commissioners.

(b) Does not arise.

“QUIT INDIA” PRISONERS

208. *Shri Mohan Lal Saksena: (a) Will the Honourable the Home Member be pleased to state how many prisoners, if any, convicted in connection with the 'Quit India' movement are still undergoing imprisonment?

(b) Did Government issue any instructions regarding their treatment in jail? If so, what?

(c) In view of the changed situation, will the Honourable Member consider the desirability of remitting their sentences?

The Honourable Sir John Thorne: (a) So far as the Central Government and Chief Commissioners provinces are concerned no prisoner is still undergoing imprisonment for offences committed during the disturbances beginning about the 9th August 1942.

(b) No instructions were issued for the treatment of such prisoners.

(c) Does not arise.

I. N. A. PRISONERS

209. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to lay a statement on the table giving the names of all the men and women of the I. N. A. detained in India, with the dates of their detention as well as the places where they are detained?

(b) How many of them, if any, are detained in jails?

(c) Have any instructions been issued regarding their treatment? If so, what?

(d) How long will it take to examine the cases of the detenus?

(e) Is it not a fact that many of the detenus are not being given any allowance during the period of detention; nor are their dependents receiving family allotment?

(f) Have separate instructions been issued for treatment of those I. N. A. men who did not originally belong to the Indian Army? If so, what?

(g) What is the total number of women detained in connection with the I. N. A.? Have any special instructions been issued for their treatment? If so, what?

(h) Do Government propose to direct their early release?

Mr. P. Mason: (a) The preparation of such a statement would involve so much work and correspondence that I fear that by the time it was ready, most, if not all of them, would not longer be in detention.

(b) and (c). I would invite attention to answers to parts (a) (ii) and (b) of Shri Sri Prakasa's question No. 206, answered a few minutes ago.

(d) It is hoped to finish all the examinations in such cases by the 1st April 1946.

(e) No, it is not a fact.

(f) No, Sir.

(g) None.

The remainder of this part and also part (h) of the question do not arise.

TROUBLE BETWEEN SOLDIERS AND CLERICAL STAFF IN M. T. C. LUCKNOW

210. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to state if there was any trouble between the soldiers and the clerical staff in the M. T. C. at Lucknow? If so, does he propose to make a full statement about the incident?

(b) What action, if any, was taken against those at fault?

Mr. P. Mason: (a) and (b). There was a quarrel on the 22nd January 1946, between personnel of the Veterinary Corps and clerks of the Deputy Field Controller of Military Accounts, Lucknow. As far as is known the matter was settled, amicably by the removal of the Veterinary Corps personnel to other lines.

A full report on the incident has been called for by telegram and I hope to be able to give the Honourable Member further details when the report has been examined.

INDIAN TROOPS IN INDONESIA AND INDO-CHINA

211. *Shri Mohan Lal Saksena: (a) Will the War Secretary be pleased to state the total number of Indians belonging to Army, Navy and Air Force in Indonesia and Indo-China?

(b) Have any steps been taken to withdraw them since the censure motion was passed by the Assembly?

Mr. P. Mason: (a) I am afraid, Sir, that it would not be in the public interest to give the information.

(b) As explained in the debate, Sir, they will be withdrawn when the objects for which they went to Indonesia and Indo-China have been fulfilled.

ACCREDITED CORRESPONDENTS AT HEADQUARTERS

212. *Prof. N. G. Ranga: Will the Honourable Member for Information and Broadcasting please state:

(a) the total number of accredited correspondents at the headquarters, and the number of newspapers represented by each;

(b) if it is a fact that some correspondents claim to represent from six to twenty newspapers;

(c) if it is a fact that some accredited correspondents have been promoted from B to A class and that some have been demoted from A to B class; if so, whether any uniform policy has been followed in regard to all promotions and demotions; and

(d) if it is a fact that demotions are due to failure of correspondents to attend the Press Conferences; if so, whether all the absentee correspondents were treated uniformly; if not, why not?

The Honourable Sir Akbar Hydari: (a) 54. The number of papers represented varies in each case.

(b) No. The maximum number of newspapers represented by one correspondent does not exceed eight.

(c) and (d). Subject to the opinion of the concerned Advisory Committee I propose to abolish this system of class distinctions.

HIGH DENOMINATION CURRENCY NOTES

213. *Sri R. Venkatasubba Reddiar: Will the Honourable the Finance Member be pleased to state:

(a) the total number of issue of currency notes of each of the denomination of Rs. 10,000, 1,000 and 500 and the number in circulation on the 11th January, 1946;

(b) the total number of notes of each denomination stated above with the banks and treasuries on the 26th January, 1946;

(c) the total number of notes of each denomination stated above presented between the 12th and 26th January, 1946 to banks and treasuries for payment;

(d) the total number of notes of each denomination stated above that is still with the public;

(e) the total number of notes of each denomination stated above which have been presented but not paid for by banks and treasuries as a result of the Demonetization Ordinance; and

(f) what Government propose to do with the money represented by the notes which have been presented for payment but could not be paid?

The Honourable Sir Archibald Rowlands: (a) I assume that the Honourable Member desires to know the value and number of high denomination notes in circulation on the 11th January, 1946. The relevant statistics are:

Denomination Rs.	Value (Rs.)	Number
500	26,18,000	5,236
1,000	1,19,70,11,000	11,97,011
10,000	24,00,40,000	24,004
Total value Rs.	1,43,96,69,000	

(b) High denomination notes ceased to be legal tender as from the 12th January, and it is unlikely that banks and treasuries would have kept any such notes with them on the 26th January. In any case, there is no means of knowing how many of these notes still remained with banks and treasuries on the 26th January without making a widespread enquiry involving an amount of time and labour which would not be justified by the results.

(c) The total value of high denomination notes exchanged at the offices of the Reserve Bank, scheduled banks and treasuries between the 12th January and the 26 January 1946 on the basis of the latest available figures is as follows:

Rs.	Rs.
500	12,37,500
1,000	85,58,13,000
10,000	15,99,70,000
	<u>1,01,70,20,500</u>

(d) It is not possible to give the information required as exchanges of high denomination notes are still proceeding and up to date figures from all centres have not yet been received.

(e) The figures are not yet available as doubtful cases are still being referred to the Central Government. I may however say that out of a total outstanding of about Rs. 143.97 crores as on the 11th January, 1946, approximately Rs. 109 crores were exchanged by the 1st February and so far no declaration has been rejected.

(f) As it is not the intention to refuse payment if the required information is furnished by declarants and sufficient reasons are given for non-presentation within the prescribed time, the question does not arise.

OVER-ASSESSMENT OF SALES PROFITS FOR INCOME-TAX PURPOSES

214. *Seth Govind Das: (a) Will the Honourable the Finance Member be pleased to state if it is a fact that the income-tax authorities have been calculating profits at more than 20 per cent. on sales, even though the statutory ordinance under the Defence of India Rules and the rules made thereunder, has fixed the maximum profits of 20 per cent. on the landing cost or the manufacturing cost?

(b) If the answer to (a) is in the affirmative, does this kind of assessment not contravene the statutory provisions?

(c) Does the Honourable Member propose to furnish the total number of cases in which profits have been calculated at more than 20 per cent. over and above the landing cost, in the account year when these ordinances were in force?

(d) What relief do Government propose to grant in all such cases of over assessments?

(e) Do Government propose to issue instructions for the early refund of income-tax collected in excess in this manner?

The Honourable Sir Archibald Rowlands: (a) On the assumption made by the Honourable Member that the actual profit is 20 per cent. the answer is in the negative. But where the assessee is unable to satisfy the Income-tax

Officer that this was his actual rate of profit and there is reason to believe that he made a higher rate of profit such higher rate is adopted in making his assessment.

(b) No.

(c) The time and labour involved in collecting the information would not be commensurate with any result that may be expected to be achieved.

(d) and (e). If the assessee has reason to think that he has been over-assessed, he can have recourse to the ordinary appellate procedure.

DISALLOWANCE OF MUNICIPAL TAXES FOR INCOME-TAX PURPOSES

215. *Seth Govind Das: (a) Will the Honourable the Finance Member please state if it is a fact that the income-tax authorities have started dis-allowing Municipal taxes, held allowable under section 9 of the Indian Income Tax Act, from this year without any justification and even in spite of the clear ruling of the Allahabad High Court on this issue, during the assessment year 1945-46?

(b) If the answer to (a) is in the affirmative, does the Honourable Member propose to issue instructions allowing such deductions?

The Honourable Sir Archibald Rowlands: (a) The Allahabad High Court judgment which the Honourable Member has in view is under appeal to the Privy Council. Pending the Privy Council's decision on this question, it is open to the Department to follow in other cases the view of the law contended by them to be correct, particularly as that view is supported by the judgments of two other High Courts. But to avoid any hardship instructions have been issued that where the assessee objects to the disallowance of Municipal taxes, the payment of tax on the income in dispute, if it exceeds Rs. 10 in a single case, should be held in abeyance till the judgment is pronounced by the Privy Council.

(b) Does not arise.

REJECTION OF STATEMENTS MADE ON AFFIRMATION FOR INCOME-TAX PURPOSES

216. *Seth Govind Das: (a) Will the Honourable the Finance Member please state if it is a fact that in day to day practice and administration of the Income Tax Act the facts affirmed in a statement on Oath and affidavits, are summarily rejected without even an attempt to rebut them?

(b) If the answer to (a) is in the affirmative, does the Honourable Member propose to issue necessary instructions on this subject?

The Honourable Sir Archibald Rowlands: (a) I am informed that statements made on oath or in affidavits are not rejected without sufficient reason.

(b) Does not arise.

ASSESSMENT OF FLAT RATES ON SALES FOR INCOME-TAX PURPOSES

217. *Seth Govind Das: (a) Will the Honourable the Finance Member please state: the percentage of cases in which, in spite of the production of adequate material, recourse to section 13 of the Income Tax Act, has been adopted by applying arbitrary flat rates on sales?

(b) Is any method or data prepared in those cases where percentage on flat rate basis in sales is being adopted?

(c) Does the Honourable Member propose to issue instructions whereby assessments on flat rate basis be adopted by actually considering the trading conditions of a particular business in a particular accounting period?

The Honourable Sir Archibald Rowlands: (a) The time and labour involved in the collection of the information would not be commensurate with any result that may be expected to be achieved.

(b) In cases where the assessable income has to be assessed at by the application of an estimated rate, such rate is normally arrived at after taking into account all available data relating to the particular assessee, and also the general condition of the business or trade that he was engaged in during the period in question.

(c) In view of the reply to part (b) no instructions are called for.

HINDI-URDU POLICY OF ALL-INDIA RADIO

218. *Pandit Balkrishna Sharma: (a) Will the Honourable Member for Information and Broadcasting please reveal the nature of discussions held by him in connection with the Hindi-Urdu-Policy of the All-India Radio with the Advisory committee appointed by him consisting of Dr. Tarachand, Dr. Zakir Hussain, Mr. Abdur Rahman Siddiqi, and Rao Bahadur Shri Narayan Mehta?

(b) Has the attention of the Honourable Member been drawn to the fact that the All-India-Hindi Sahitya Sammelan, in protest against the Anti-Hindi Policy of the All-India Radio, has passed a resolution at its Jaipur session asking the Hindi writers, poets, story-writers, play-wrights and novelists not to participate in the programmes of the All-India Radio?

(c) Were any decisions regarding the Hindi-Urdu controversy taken in the conference with the Advisory Committee mentioned in (a) above?

(d) What criterion was followed in selecting the members of the Advisory committee?

(e) Is he aware of the protests made by the Hindi Press and Hindi Literary Institutions against the composition of the committee?

(f) Does he intend making any changes in the personnel of the said committee, in view of the dissatisfaction prevailing in the Hindi speaking public?

The Honourable Sir Akbar Hydari: (a) and (c). The attention of the Honourable Member is invited to the Press Note which was issued by Government on the 5th February, 1946.

(b) Yes.

(d) Suitability.

(e) Yes, from some; but on the whole there has been remarkably little criticism of its composition.

(f) The Committee has concluded its work.

RECRUITMENT OF HINDI URDU SCHOLARS FOR ALL-INDIA RADIO

219. *Pandit Balkrishna Sharma: (a) Will the Honourable Member for Information and Broadcasting please state how many scholars of Urdu and Hindi were employed by the All-India Radio for preparing the lexicon of the so-called Hindustani words?

(b) Were they recruited through the Federal Public Service Commission or through some departmental Commission?

(c) Were they employed by the All-India Radio? If so, who was the ultimate recruiting authority?

(d) What are the names of the scholars to whom the work of preparing the lexicon was entrusted?

(e) Is the Honourable Member aware of the fact that in the beginning only one scholar of Urdu was appointed and that the Hindi scholar was employed only when the work on the lexicon had progressed far enough?

(f) Will the Honourable Member state since when Urdu and Hindi scholars have begun their work on the lexicon respectively?

(g) Is the Post of the Hindi Scholar still vacant? If so, why?

(h) Is the lexicon meant to be used for preparing the *Hindustani News Bulletin*?

(i) Were any experienced journalists of Urdu and Hindi appointed for preparing the lexicon?

(j) Who was entrusted with the work of suggesting finally the words suitable for the All India Radio?

(k) Is it a fact that the Director General of the All India Radio had the final voice in selecting the words?

- The Honourable Sir Akbar Hydari:** (a) Five; two or three at a time
 (b) No.
 (c) Yes; Director General, All-India Radio.
 (d) Dr. Akhtar Hussain, Mr. Chiragh Hassan Hasrat, Mr. S. H. Vatsayana, Dr. Yadu Vanshi, Mr. Rafiq-uddin Ahmed.
 (e) No.
 (f) Both began this work in July 1940.
 (g) The work of compiling the Lexicon was finished in August 1944.
 (h) Yes.
 (i) Yes.
 (j) The scholars engaged on this work.
 (k) No. It is proposed to invite the views of suitable experts on the Lexicon and to finalise it in the light of the views received.

SMALL CAUSES COURTS IN DELHI PROVINCE

220. *Babu Ram Narayan Singh: Will the Honourable the Home Member please refer to Sections 5, 6, 7 and 8 of the Provincial Small Causes Courts Act (No. IX of 1887) and state:

(a) the places within the territories under the Delhi Province Administration whereat a Court of Small Causes has been established;

(b) the local limits of the jurisdiction of the said court; and

(c) the time fixed since 1912 at which the said court will sit?

The Honourable Sir John Thorne: (a) At Kashmere Gate Delhi.

(b) The area within the boundaries of the Delhi Municipality, the New Delhi Municipality, the Civil Station Notified Area, the Fort Notified Area and Delhi Cantonments.

(c) From 10 A.M. to 4 P.M.

RENT SUITS JURISDICTION OF DELHI SMALL CAUSES COURT

221. *Babu Ram Narayan Singh: Will the Honourable the Home Member please refer to item (8) of the Second Schedule to the Provincial Small Causes Courts Act (No. IX of 1887) and state the particulars of the notifications under which the Local Government of the Delhi Province has expressly invested the Judge of the Court of Small Causes with authority to exercise jurisdictions with respect to a suit for the recovery of rent, other than house rent and including rent for electric meters installed for recording the consumptions of electric supply?

The Honourable Sir John Thorne: No such notification has been issued.

PECUNIARY JURISDICTION OF DELHI SMALL CAUSES COURT

222. *Babu Ram Narayan Singh: Will the Honourable the Home Member please refer to Sub-Section (2) of Section 15 of the Provincial Small Causes Courts Act (No. IX of 1887) and state the particulars of the notification under which the Local Government of the Delhi Province has expressly specified the value of suits of a civil nature to be cognizable by a Court of Small Causes within the Delhi Province?

The Honourable Sir John Thorne: No such notification has been issued.

REPORTED DEATH OF "NETAJI" BOSE

223. *Sardar Mangal Singh: (a) Will the Honourable the Home Member please state whether Government have made enquiries about the reported death of Netaji?

(b) What is their information whether Netaji has really died or whether he is still living and is hiding somewhere as suggested by Mahatma Gandhi?

The Honourable Sir John Thorne: (a) and (b). Government have taken steps to verify the reports of Mr. Subhas Chandra Bose's death by reference to Admiral Mountbatten's and General McArthur's Headquarters. The information received from the Japanese Government and their agencies through these channels is that the aircraft in which Mr. Bose was travelling to Japan crashed during the take off at Taihoku Airfield on August 18th, 1945, and that he succumbed to injuries sustained during the crash.

EMERGENCY COMMISSIONED OFFICERS APPLYING FOR CIVIL APPOINTMENTS

224. *Sardar Mangal Singh: (a) Will the Honourable the Home Member please state the number of Emergency Commissioned Officers who have so far applied for civil appointments?

(b) How many of them have been selected, and what is the total number of vacancies which are to be filled by these officers and others with approved war services?

The Honourable Sir John Thorne: (a) The number of applications received so far from 'war service' candidates including Emergency Commissioned Officers for the reserved vacancies in the Secretary of State's and Central Services is 11, 112. No separate information regarding the number of applications from the Emergency Commissioned Officers is available.

(b) The total number of vacancies that have been held in reserve for 'war service' candidates is 336 in the Secretary of State's Services and 468 in the Central Services. The preliminary selection of candidates for these vacancies has begun but it will take some time before it is completed and final appointments made.

EMERGENCY COMMISSIONED OFFICERS APPLYING FOR PERMANENT COMMISSIONS

225. *Sardar Mangal Singh: (a) Will the War Secretary please state the number of Emergency Commissioned Officers who had applied for permanent Commissions?

(b) How many of them have so far been selected for permanent Commissions?

(c) Are Government satisfied with the number of suitable officers coming up for permanent Commissions?

Mr. P. Mason: (a) 3,655.

(b) 277.

(c) Yes, Sir.

REPORT OF ARMY REORGANIZATION COMMITTEE

226. *Sardar Mangal Singh: (a) Will the War Secretary please state when the report of the Army Reorganization Committee will be ready and made available to the members of this House?

(b) Has the Small Committee appointed to consider the question whether V.C.Os. should or should not be retained in the Army, submitted any report?

(c) What is its recommendation about the retention or otherwise of the V.C.Os?

Mr. P. Mason: (a), (b) and (c). Both the Reorganisation Committee and the Committee to consider the future of VCOs were Committees of staff officers appointed by H. E. the Commander-in-Chief in order that they might report to him personally on the problems referred to them. Their reports were never intended for publication and will not be published. As decisions are taken on their recommendations, these will usually be published.

INDIAN SOLDIERS APPLYING FOR ELECTORAL REGISTRATION

227. *Shri Satya Narayan Sinha: Will the War Secretary be pleased to state:

(a) how many of the 2½ million soldiers of the Indian Army taking advantage of the removal of residential disqualification by the Indian Franchise Act, 1945, applied for electoral registration—Provincial and Central;

(b) how many from (a) got their names registered; and

(c) how many from (b) were and are being given opportunity to record their votes?

Mr. P. Mason: (a) This information is not readily available and would take at least two months to obtain as it would involve consultation with all units including those overseas.

(b) and (c). Any service personnel who have registered on the electoral roll may apply for leave in order to vote. The grant of this leave is however subject to the exigencies of the service.

RELATIVE STATUS OF VICEROY'S COMMISSIONED OFFICERS AND BRITISH WARRANT OFFICERS, ETC.

228. *Shri Satya Narayan Sinha: (a) Will the War Secretary please state the relative status of—(i) the Viceroy's Commissioned Officers and British Warrant Officers, and (ii) the Indian Other Ranks and British Other Ranks, whenever they have to work in the same Unit or in the same office?

(b) Is it a fact that British Warrant Officers and British Other Ranks are permitted to exercise powers of command over the Viceroy's Commissioned Officers?

(c) Is it a fact that Viceroy's Commissioned Officers are at no time permitted or authorised to exercise command over the British Warrant Officers and British Other Ranks whenever they are working in the same office or in the same Unit?

(d) Is it a fact that British Other Ranks are permitted to exercise command over Indian Other Ranks irrespective of their rank and seniority and that Indian Other Ranks can at no time exercise command over British Other Ranks whenever they are working in the same office or Unit?

Mr. P. Mason: (a) and (d) (i). The status of a Viceroy's Commissioned Officer and a British Warrant Officer is governed by different Acts. A Viceroy's Commissioned Officer is subject to the Indian Army Act and can exercise command only over persons subject to that Act, whereas a British Warrant Officer is subject to the Army Act and cannot exercise command over persons subject to the Indian Army Act unless such persons, being other than Indian Commissioned Officers are specially placed under his orders. A Viceroy's Commissioned Officer is, however, not normally placed under the orders of a British Warrant Officer.

(ii) A British private soldier has no power of command over an Indian Other Rank. Indian Other Ranks cannot exercise command over British Other Ranks.

(b) A British Warrant Officer can only exercise such command when specially ordered. British private soldiers have no such powers.

(c) Yes.

INDIA'S EXPENDITURE ON SECRETARY OF STATE'S ESTABLISHMENT

229. *Mr. R. Venkatasubba Reddiar: Will the Honourable the Finance Member kindly state:

(a) what portion, if any, of the expenditure, in pounds or rupees on the Secretary of State for India and his establishment in England is borne by this Government;

(b) if any portion of such expenditure is paid from the Indian revenues, whether any Indian nationals are employed in that office; and, if so, how much they are paid; and

(c) if the answer to (b) above is in the affirmative, whether he proposes to take steps to employ Indian nationals to the utmost possible extent in that office and inform the Assembly as to what steps are being taken in that direction?

The Honourable Sir Archibald Rowlands: (a) In accordance with section 280 of the Government of India Act the expenses of the Secretary of State's Department including the salaries and remuneration of the staff thereof are borne by His Majesty's Government but payment is made by the Government of India of a part of such expenses, being a sum agreed upon from time to time as attributable to the performance of certain agreed agency functions on behalf of the Central Government. Such payment for 1945-46 has been agreed at £175,000 against the total cost of the establishment amounting to £409,100.

(b) No Indian nationals are employed in the establishment of the Secretary of State. Two Indians are, however, serving as the Secretary of State's Advisers. Their salaries are £1,800 per annum free of tax.

(c) In view of the fact that the payment is only for a part of the expenses of the Secretary of State attributable to his agency functions and this arrangement is economical and advantageous to India, it is not proposed to take the action suggested.

UNSTARRED QUESTIONS AND ANSWERS.

PROSCRIBED PUBLICATIONS

33. Shri Mohan Lal Saksena: Will the Honourable the Home Member be pleased to lay a statement on the table giving a list of books and publications proscribed during the last four years and a statement giving the names of Presses and Newspapers from which securities were demanded since January, 1942?

The Honourable Sir John Thorne: The information asked for by the Honourable Member is being collected and a statement so far as the Central Government is concerned will be laid on the table of the House in due course.

EXPENDITURE ON PUBLICITY FILMS, ETC.

34. Shri Mohan Lal Saksena: Will the Honourable Member for Information and Broadcasting be pleased to lay on the table statements giving:

(i) the number and cost of various films prepared during the last four years by the Department;

(ii) the existing arrangements for external publicity and the total amount spent thereon during the last four years; and

(iii) the total amount of money spent on advertisements during the last four years and the names of the various papers to which advertisements were given with the respective amount paid to them?

The Honourable Sir Akbar Hydari: The information is being collected and will be laid on the table in due course.

SHORT NOTICE QUESTIONS AND ANSWERS.

APPOINTMENT OF BRITISH (EUROPEAN) PERSONNEL IN I. C. S. AND I. P. S.

Mr. Manu Subedar: (a) Will the Honourable the Home Member please state whether Government have sent to the Secretary of State the proceedings of the debate, which took place on the 31st of January, 1946, in the House on the adjournment motion in regard to additions to British (European) personnel in the Indian Civil Service and the Police Service by competitive selection with special provision for lump payment for voluntary retirement and even higher payments on dismissal?

(b) Have Government received instructions, after the despatch of such report, whether to proceed with the proposed scheme or to hold it in abeyance?

(c) How many have gone through the first interview, how many men have gone through the second interview and how many men have already been appointed?

(d) Has the Finance Department wholly accepted the scheme, or has it suggested a modification? If so, when?

The Honourable Sir John Thorne: (a) The text of the adjournment motion and the fact that the motion was carried in the Assembly without a division were communicated to the Secretary of State.

(b) The Secretary of State has intimated that he does not propose to hold the recruitment scheme in abeyance for the following reasons:

(i) An undertaking was given that recruitment would be carried out on the basis of pre-war ratios as between British and Indian recruits, in accordance with which recruits would have entered the services but for the war. Withdrawal of vacancies from Europeans would be regarded as a breach of this undertaking.

(ii) Terms under which new recruits are to serve make clear provision for constitutional changes.

(iii) The Secretary of State hopes that the time is close at hand when a new Government will be able to make their own arrangements but he feels that in the meanwhile the administrative machinery should be maintained by filling the vacancies that have accrued on the basis of pre-war ratios.

(c) The total number of eligible European candidates is about 700. 272 have been tested by the Selection Board, 84 have been finally interviewed, 20 have been finally selected and offered appointment and 5 have accepted appointment. No formal appointment has yet been made.

(d) The Secretary of State consulted the Governor General in Council on the proposals before coming to a final decision.

Mr. Manu Subedar: In view of the fact that only 20 have been offered appointments, and in view of the fact that the Secretary of State refers to the future Government which will be able to make its own arrangement, may I know whether the Government of India informed the Secretary of State that the public feeling on this subject in this country is acute as evidenced by the discussions in this House and whether in view of that public feeling they recommended holding up the further progress, that is to say, the further appointment of these men?

The Honourable Sir John Thorne: I cannot undertake that such a recommendation will be made.

Mr. Manu Subedar: The question is not whether you will do so in future. My question is did the Government themselves of their own accord make this recommendation when they sent the debates to the Secretary of State?

The Honourable Sir John Thorne: I am sorry I did not follow the question.

Mr. Manu Subedar: Did the Government, when sending the debates of this House, also convey their own views to the Secretary of State that in view of the high feeling on this subject on all sides of the House, the scheme of further British recruitment may be held in abeyance?

The Honourable Sir John Thorne: No, Sir.

Mr. Manu Subedar: In view of the Secretary of State's own suggestion that the new government will in the matter of two or three months take charge of all this, may I know now whether the Government of India will make such a recommendation, viz., to hold the scheme in abeyance?

The Honourable Sir John Thorne: I think, Sir, this was fully covered in the discussions on the adjournment motion recently and I cannot undertake that any recommendation in the sense in which my Honourable friend desires should be made.

Mr. K. O. Neogy: If I have caught my Honourable friend aright—he said that the text of the motion was forwarded to the Secretary of State. Did the Government convey to the Secretary of State the state of feeling on the subject in the country or did the Government merely forward the text of the motion, which is not self-explanatory?

The Honourable Sir John Thorne: My answer was that the text of the adjournment motion and the fact that the motion was carried in the Assembly without a division were communicated to the Secretary of State.

Mr. K. O. Neogy: Is it not usual in such cases to forward also a summary of the debate? Why was it that merely the text of the motion was forwarded and also the information that it was carried without a division?

The Honourable Sir John Thorne: I have not received the proceedings of the debate: it would be impossible to summarise them.

Seth Govind Das: Will they do it now as soon as they receive the debates?

The Honourable Sir John Thorne: Yes, Sir: the proceedings will be sent.

Mr. Manu Subedar: In view of the impending unemployment of a large number of men who have served Government in connection with the war, may I know whether the Government of India would not now suggest that as a goodwill gesture, this particular scheme of further recruitment of Britishers may be held in abeyance?

The Honourable Sir John Thorne: I cannot undertake that that will be done.

Shri Mohan Lal Saksena: Is it not a fact that if the Honourable Member had taken care he could have had the proceedings the next day?

The Honourable Sir John Thorne: I am sorry I did not follow the question.

Mr. President: The question was, "Would not the Honourable Member have got a copy of the proceedings the next day, if he had tried"?

The Honourable Sir John Thorne: I cannot say. That is a matter for the Legislative Assembly Department.

Sri M. Ananthasayanam Ayyangar: May I know what was the recommendation of the Government of India while forwarding the decision of this House?

The Honourable Sir John Thorne: No comments were made.

Prof. N. G. Ranga: Is it the intention of this Government to see that a sufficient supply of Englishmen in strategic places is maintained here in this country, even after this country is supposed to have become free two months hence, so that they can play a fifth column role here?

Mr. President: Order, order.

FOOD SITUATION IN BIHAR.

Shri Satya Narayan Sinha: (a) Has the attention of the Food Secretary been drawn to the report that has appeared in today's *Hindustan Times* in which the adviser of the Bihar Government Sir Eric Ansorge is reported to have said that the suggestion made during the last debates in the Central Assembly on Food, that Bihar is a surplus Province, is wrong?

(b) Is the Food Secretary aware that the Bihar Government had made certain proposals to the Government of India before the Food Debate in the Assembly in order to meet the food situation but the Central Government turned round these proposals and that is going to seriously affect the Food situation in the Province?

(c) Is the Food Secretary aware that if the import is not increased in the Province, in view of the failure of the food crops this year which showed deficit of 2 lac tons, there will be a terrible famine in the Province?

Mr. B. E. Sen: (a) Yes Sir, but no such suggestion seems to have been made in the course of the Food Debate.

(b) With a view to improving procurement of rice and paddy in the Province, the Bihar Government made certain proposals with most of which the Government of India were in agreement but there were some which required further consideration and consultation with other Provincial Governments.

(c) A quota of foodgrains based on our existing resources has already been allotted to Bihar and the Bihar Government's request for additional allotments will be considered as soon as the import position becomes clearer.

Shri Satya Narayan Sinha: Is the Honourable Member aware that the net imports of foodgrains into Bihar were about 2,75,000 tons yearly, excluding

74,000 tons of paddy from Nepal and that these imports have almost ceased from the year 1942, except a small quantity of paddy, which is still imported from Nepal?

Mr. B. R. Sen: Yes.

Sir Cowasjee Jehangir: May I ask the Honourable Member whether Bihar was not one of the provinces in which the Government of India decided was a province for monopoly procurement?

Mr. B. R. Sen: We have done that a few weeks ago.

Babu Ram Narayan Singh: Is Bihar a surplus province according to the decision of the Government of India as regards food production?

Mr. B. R. Sen: No, Sir.

Shri Satya Narayan Sinha: Is the Honourable Member aware that Bihar with its growing population has somehow managed to maintain itself so far with the existing production and with the eight lakhs tons of cereals which it originally received from outside?

Mr. B. R. Sen: I am quite aware of that. But I would like to ask the Honourable Member whether he is aware that India used to import 1½ million tons of cereals before the war and is not now getting those imports?

Shri Sri Prakasa: Can an Honourable Member ask a question in reply to a question?

Prof. N. G. Ranga: What definite steps are being taken or are proposed to be taken by the Government of India to help Bihar to become self-sufficient in regard to rice production?

Mr. B. R. Sen: The Honourable Member is aware that we are taking steps all over India under the grow-more-food campaign to get larger production.

Shri Satya Narayan Sinha: Is the Honourable Member aware that following the debate in the House on food, the prices of rice in Bihar have gone up very high, so much so that rice is selling there at Rs. 25 a maund? And if the answer is in the affirmative, will the Honourable Member care to say what he is going to do to remedy the situation?

Mr. B. R. Sen: I am aware of what the Honourable Member said just now; the whole matter is under discussion with the Bihar Government.

Babu Ram Narayan Singh: May I know whether any immediate steps are going to be taken by the Government of India to improve the situation there?

Mr. B. R. Sen: Yes.

Babu Ram Narayan Singh: What are those steps?

Mr. B. R. Sen: I feel it would not be in the public interest to discuss these proposals on the floor of this House at this stage.

Prof. N. G. Ranga: Will the Honourable Member be pleased to give this bit of information at least? Is the raising of the price of paddy, which is actually being received by the growers of paddy there, also one of the proposals that are being discussed by Government, so that they may be encouraged to grow more paddy?

Mr. B. R. Sen: That is one of the proposals under discussion.

Mr. B. B. Varma: May I know the reason for not accepting the Bihar Government's proposals regarding the inter-provincial control and co-ordination of prices by the Centre?

Mr. B. R. Sen: As I explained in the course of the food debate in this House, it has been the policy of the Government of India throughout to co-ordinate prices all over India. In 1943 the disparity of prices was very great and already we have narrowed down that disparity.

Babu Ram Narayan Singh: Will the Honourable Member advise the Government of Bihar to remove the inter-district ban against the movement of food-grains from one district to another?

Mr. B. E. Sen: That is primarily a matter for the Provincial Government to consider.

Sri M. Ananthasayanam Ayyangar: Has the Government considered the suggestion in the resolution which was passed here in the Food Debate, of granting subsidies to growers wherever there are inadequate prices being paid?

Mr. B. E. Sen: That is a matter for the Agriculture Department, but I think that subsidies are given to cultivators even now, though not in the form that the Honourable Member wants them to be given.

Sri M. Ananthasayanam Ayyangar: Has any revision of the scale been thought of or considered since the passing of the resolution the other day?

Mr. B. E. Sen: The Honourable Member has put a short notice question and I shall give him a reply then.

Shri Satya Narayan Sinha: Is the Honourable Member aware that Bihar just managed to ward off a famine in 1943, and that its present ration is already one of the lowest in India and below the minimum recommended by the Central Government?

Mr. B. E. Sen: I am not sure that it is one of the lowest in India, but all over India the ration is very low.

Shri Satya Narayan Sinha: Will the Honourable Member care to make inquiries about it?

Mr. B. E. Sen: Yes.

Pandit Govind Malaviya: Are steps being taken to take note of the resentment which has been caused in Delhi and in other places in India by the reduction in the rations?

Mr. President: Order, order, the question does not arise out of this.

HUNGER STRIKE BY INDIAN AIRMEN IN BOMBAY.

Shri Satya Narayan Sinha: (a) Has the attention of the War Secretary been drawn to the news published in Newspapers regarding Indian airmen (600 in number) in the City Camp of Bombay who have gone on hunger strike, on an alleged insult by the Camp Commander?

(b) Will he kindly enlighten the House regarding its full details?

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

(b) The facts are contained in a statement made by Air Officer Commanding Bombay at a Press Conference in Bombay on Thursday last.

FRANCHISE TO INDIANS IN SOUTH AFRICA

Seth Govind Das: (a) Will the Secretary for Commonwealth Relations be pleased to state if it is a fact that the South African Government has decided to give Indians in Natal and Transvaal a right to vote? If so, will these Indians be registered on a communal roll or on the ordinary voter's roll?

(b) Will these Indians be allowed to elect their own Indian representatives to the Senate, Assembly and Provincial Councils?

(c) Are the Government of India aware of the fact that a delegation of the Natal Indians is shortly coming to India in this fortnight?

Mr. R. N. Banerjee: (a) and (b). It is understood that the Union Government have under consideration draft legislation to give Indians a limited franchise on a communal roll, on the basis of literacy and a certain annual income or ownership of immovable property of certain value. This franchise is intended to enable Indians to elect a limited number of representatives on the Senate, House of Assembly and the Natal and Transvaal Provincial Council. It is understood, however, that on the official interpretation of the present legal position such representatives must be of European descent.

(c) A telegram has been received from the Natal Indian Congress intimating that a delegation is coming to India.

Seth Govind Das: Will the Honourable Member be pleased to state whether he has received any communication from the High Commissioner of India in Natal or from the representatives of the Natal Indian Congress, whether this franchise which is being contemplated to be given to Indians there, will be acceptable to Indians?

Mr. R. N. Banerjee: I have no information on the present attitude of the local Indian community towards this kind of franchise; but the matter was examined by the Judicial Commission over which Justice Broome presided, and in the report of the Commission published a few months ago the following statements were made:

"Natal Indians are not a backward race like the Bantu. Their racial pride would not therefore permit them to accept communal representation by persons of a different race as happens in the case of natives. The Commission is satisfied on the strongest possible evidence that any offer to Natal Indians of representation on a communal basis would be rejected immediately and unanimously."

I do not know whether that is the present attitude of the Indian community. We have no up to date information.

Seth Govind Das: What do the Government of India under these circumstances contemplate to represent to the Union Government? Are they going to express any opinion with respect to this proposal of franchise?

Mr. R. N. Banerjee: I am afraid I am not prepared to make any further statement on the subject of franchise at this stage. Government will consider the matter. I hope the Honourable Member will realise that our relations with that country are in a most delicate stage and I think it will be against our interests to discuss this matter further now.

Prof. N. G. Ranga: Does this proposal also include the right of Indians to elect Indians to the Legislature?

Mr. R. N. Banerjee: No, Sir.

Mr. M. Asaf Ali: Sir, I am compelled to ask the Honourable gentleman whether it is proper for any Member of the Government to address the other side of the House which happens to be the elected side of the House in that lecturing and hectoring manner by saying "Members should realise". "Will Members kindly realise" or some such expression ought to be the form of his warnings.

Mr. R. N. Banerjee: I am sorry if I have given the Honourable Member offence.

INTERROGATION OF I. N. A. PERSONNEL

Pundit Thakur Das Bhargava: (a) Will the War Secretary kindly state how many interrogations and enquiries are at present proceeding in regard to officers and other ranks of the I.N.A.?

(b) How many persons of the I.N.A. yet remain to be interrogated?

(c) Against how many officers of the I.N.A. whose interrogations have been completed, are the cases at present in contemplation?

(d) Are there any women prisoners also belonging to the I.N.A.? If so, how many? How many women have been convicted or arraigned so far? Are there any cases in contemplation against them?

Mr. P. Mason: (a) and (b). The number of persons of the I.N.A. under interrogation and enquiry is approximately 4,225. Six Courts of Inquiry are engaged on this work dealing with approximately 400 men every week.

(c) No proceedings are being contemplated against any of the officers whose interrogation has been completed.

(d) No, Sir, and to the best of my knowledge no such case is contemplated.

COST OF I. N. A. TRIALS

Pundit Thakur Das Bhargava: (a) Will the War Secretary kindly state the total cost of the first I.N.A. trial viz. the trial of Capt. Shah Nawaz and others?

(b) How much cost have Government so far incurred in the trials of Capt. Burhanuddin, Capt. Singhara Singh, Fateh Khan and Capt. Abdur Rashid?

(c) How many officers and other persons are engaged in investigations, inquiries and interrogations of the I.N.A. men, and what do they cost Government each day?

Mr. P. Mason: (a) Rs. 26,503 for counsels and stenographers.

(b) Rs. 42,427 for counsel and stenographers up to the end of last month. As regards the remainder of the cost incurred on these trials, the Members of the Courts and most of the witnesses are Military persons and almost all were brought by Service means of transport, which was carrying other persons as well. The extra cost of the trials on this account was therefore small; to work out actuarially the proportionate cost would involve a great deal of work and would be of little practical value.

(c) 167 Commissioned officers and 14,033 other military persons. These persons are paid at the normal rates which they would be receiving anywhere so that no extra cost is incurred on this account.

I. N. A. MEN HANGED.

Pundit Thakur Das Bhargava: Will the War Secretary kindly state whether out of the persons of the I.N.A. hanged, any one was tried for waging war against the King? If so, how many, and with what result?

Mr. P. Mason: Waging war against the King was included in the charges against all those who were hanged, and all except one were convicted on that charge.

MOTIONS FOR ADJOURNMENT

GOVERNMENT STATEMENT ON POLYTECHNIC INSTITUTE STUDENTS' STRIKE

Mr. President: I have received notices of five different adjournment motions. One is from Seth Govind Das. He wants to adjourn the House because of "the unsatisfactory statement of Dr. John Sargent on Polytechnic Institute students strike". I should like to know what specifically is unsatisfactory in that statement. Without it, it seems to be vague.

Seth Govind Das (Central Provinces Hindi Division: Non-Muhammadan): Sir, the main grievance of the strikers was that their diploma is not being recognised and when the Deputy Leader of my Party put a specific question to Dr. John Sargent whether the Government were prepared to recognise that diploma and instruct the Federal Public Service Commission accordingly, Dr. John Sargent did not even care to reply to that question. Sir, this has been the main grievance of the strikers. If he had said something on this subject and if his reply was satisfactory, we would not have been compelled to move this motion today. Even now if he can assure us on this subject, we shall consider whether we should press this motion or not.

Dr. John Sargent (Secretary, Education Deptt.): Sir, I am very sorry if my reply on that point was not satisfactory. It was not my intention to evade it in any way, nor do I wish to evade any further discussion on this particular matter which may lead to a satisfactory solution of the question. I had an opportunity last night after the matter was referred to in this House of having a talk with certain students and I agree that the crucial point is the recognition for employment both in Government service and elsewhere of the diplomas awarded by the Polytechnic Institute. As I said yesterday in answer to a question, I think, by the Honourable gentleman himself, I myself regard, in spite of the difficulties to which I have referred, the diploma courses which have been carried on in the Polytechnic Institute as quite good and as equivalent in standard to the University courses which are recognised for purposes of employment. I have put that point personally to the Chairman of the Federal

[Dr. John Sargent]

Public Services Commission because, I think, we can feel that the first step towards general recognition of these courses is their recognition by the Federal Public Services Commission. I have represented my view to him. He gave me a very sympathetic reply and I shall certainly continue to press my view on him. But he naturally wanted a little time to consider it and he also wished to consider any report which the Commission had received from the All-India Board of Studies. I can assure the House that I shall spare no efforts to try and persuade the Federal Public Services Commission to recognise the value of this course. But I am afraid I cannot force the issue on them.

Seth Govind Das: Sir, in view of this explanation, I do not press my motion.

Mr. President: Then there is another adjournment motion practically on the same subject by Mr. Mohan Lal Saksena.

Shri Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Sir, I do not press my motion in the hope that the Honourable the Education Secretary will expedite matters and will see that the matter regarding recognition is settled at an early date.

Dr. John Sargent: Certainly.

Mr. President: The next adjournment motion stands in the name of Mr. Rohini Kumar Choudhuri. It runs as follows:

"Action taken by the Government of India for ruination of Industry of manufacture of umbrellas in Assam by refusing to release cloth and other materials necessary for the manufacture and by requiring the province to take ready-made umbrellas from Calcutta."

Sreejut Rohini Kumar Choudhuri (Assam Valley: Non-Muhammadan): Sir, I withdraw my motion at this stage.

FAILURE OF GOVERNMENT OF INDIA TO INSTRUCT ITS DELEGATE TO U.N.O. TO CONVEY TO THE SECURITY COUNCIL STRONG VIEWS OF THE ASSEMBLY REGARDING ANGLO-DUTCH OPERATIONS AGAINST INDONESIA.

Mr. President: The next adjournment motion stands in the name of Mr. M. Asaf Ali. It runs thus:

"The failure of the Government to instruct its delegate to U.N.O. to convey to the Security Council now in Session in London the strong views of the elected members of the Assembly on the subject of Anglo-Dutch operations against the nationalist forces in Indonesia."

As I understand the Motion, it is not for debating again the position in Indonesia, but it is restricted only to the failure of this Government to convey to the British Government the views of this House. What is the position with regard to this?

Mr. H. Weightman (Secretary, External Affairs Department): On a preliminary point, Sir. It seems possible that this Motion requires the consent of the Governor General under the provisions of Rule 12(v), read with Rule 23 (2)(ii)(a). It relates to 'a matter connected with relations between His Majesty or the Governor General in Council and a foreign State or Prince'.

Mr. President: But here the Motion does not relate to any relations of that type. It merely seems to be a matter between the Government of India and the Secretary of State. Let me get it clear from the Honourable Member.

Mr. H. Weightman: It refers to an allegation of Anglo-Dutch operations against the nationalist forces in Indonesia.

Mr. President: It does not seek to have any clarification of the Anglo-Dutch operations. The mere mention of these words need not bring the Motion within the Rule quoted by the Honourable Member. The point of the Motion, as I understand it, is the failure of this Government to instruct its delegates to U.N.O. It does not relate to Anglo-Dutch relations at all. That is how I understand the motion to be.

Mr. M. Asaf Ali (Delhi: General): May I just say one word? I should like to know whether there has been any communication or any failure to communicate.

Mr. H. Weightman: No, Sir. I submit it is not a matter of urgent public importance.

Mr. President: The question is simply whether the Government of India have communicated or failed to communicate to its delegates.

Mr. H. Weightman: No communication has been made. But I urge that there is no question here of failure of Government leading to a definite matter of urgent public importance. I may go a little further and say that it is a normal, natural and perfectly comprehensible fact that when a Government sends a delegation to an International body such as U.N.O. and if that Government has instructions to issue to its delegation, it will issue instructions which it considers to be reasonable. A great deal of time was taken up the other day in explaining exactly why Indian troops as well as British troops were in Indonesia . . .

Mr. President: Order, order. I am not going into the merits of this question. The merits of the question are entirely different. Now that, that matter has been debated upon, no further debate on that point can now be permitted in this House. But the present Motion for Adjournment raises a different question, and that is that this Government failed to communicate to their delegate attending U.N.O. the wishes of this House or the discussions that took place in this House. This point is entirely different. Am I clear to the Honourable Member?

Mr. H. Weightman: I was trying to indicate that there was no need for the Government of India to do it.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Oh! Oh!

Mr. President: That is a matter of opinion. What was the Honourable Member urging about the point of urgency?

Mr. H. Weightman: There is no urgency. If the Government of India did not do something, it was not under any obligation to do it.

Mr. President: The point appears to me that if the Delegation is there and if the Security Council is going to take some decisions then, of course, before it comes to any adverse decision, or to any decision at all, for the matter of that, this House may feel it quite necessary that their views, for what they are worth, may be communicated to the delegation. The urgency arises from that point. Has the Honourable Member got to say anything about that?

Mr. H. Weightman: I have nothing more to say.

Mr. M. Asaf Ali: May I explain about the point of urgency? Nothing has been said till now by the Honourable Member which may in any way go against the urgency of this motion which I propose to move. I shall ask the leave of the House to move my Motion at the appropriate time, if you, Sir, admit it.

Mr. President: The point is that the Security Council is having deliberations now.

Mr. M. Asaf Ali: Precisely . . . May I say one word about it? The reason why I put down this Motion today is this, that Reuter has sent out a long message from London which has appeared in the Press today in which I came across the following words which have been uttered by no less eminent and important a person than M. Vyshinsky, the representative of Soviet Russia. He says:

"And we say that war is being waged against the Indonesian population. This is a very dangerous situation. It is dangerous to the future. It may light a spark which will set light to the powder barrel and start a world wide conflagration."

I ask this Government of India, Sir, whether they are utterly oblivious of this fact? They are trying to evade the issue today. They are telling us there is no urgency of this question. Is it or is it not their duty to be fully apprised

[Mr. M. Asaf Ali]

of all the facts to realise that they are passing through days when the world is almost in an explosive state? We have expressed our views because we are vitally affected by the developments that are taking place throughout the world. We have expressed our views very strongly on the subject and today the Government Member has the audacity to stand up and tell us that they do not consider it a matter of such urgency that they should communicate the views of this House—of the elected part of the House—to the representative whom they have sent to U.N.O. and who is sitting in London today and listening to the Indonesia debate. He does not even convey the feelings of this House to the Security Council, Sir, I think it is monstrously scandalous that this Government should return replies like these and try to evade the issue and tell us here that this is not a matter which should claim the attention of this House. If this matter cannot claim the attention of this House, I cannot imagine any other matter that can possibly claim the attention of this House. We are most vitally affected. We have gone through two wars, not of our seeking, and a third war is in progress. Are we to allow this Government to go on without conveying our views to the proper authorities and to the proper quarters?

Mr. President: I think the motion is admissible; the question is when it should be taken up.

Mr. H. Weightman: Sir, let it be taken up at 4 o'clock.

Mr. President: The motion will be taken up at 4 P.M.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER CENTRAL EXCISES AND SALT ACT

The Honourable Sir Archibald Rowlands (Finance Member): Sir, I lay on the table a copy of each of the following notifications in accordance with section 30 of the Central Excise and Salt Act, 1944:

- (1) Central Excise Notification No. 4-Camp, dated the 10th February, 1945.
- (2) Central Excise Notification No. 5-Camp, dated the 10th March, 1945.
- (3) Central Excise Notification No. 2, dated the 21st April, 1945.
- (4) Central Excise Notification No. 6, dated the 2nd June, 1945.
- (5) Central Excise Notification No. 8, dated the 16th June, 1945.
- (6) Central Excise Notification No. 10, dated the 18th October, 1945.
- (7) Central Excise Notification No. 11, dated the 27th October, 1945.
- (8) Central Excise Notification No. 1-Camp, dated the 26th January, 1946.
- (9) Salt Notification No. 1, dated the 1st April, 1945.
- (10) Salt Notification No. 4, dated the 26th May, 1945.
- (11) Salt Notification No. 6, dated the 22nd September, 1945.
- (12) Salt Notification No. 7, dated the 13th October, 1945.
- (13) Salt Notification No. 8, dated the 3rd November, 1945.
- (14) Salt Notification No. 10, dated the 3rd November, 1945; and
- (15) Salt Notification No. 11, dated the 15th December, 1945.

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION.

CENTRAL EXCISES

New Delhi, the 10th February, 1945.

No. 4-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely:—

To rule 60 of the said Rules, the following shall be added, namely:—

"The purchaser shall keep a correct daily account of such goods in like manner as is prescribed in rule 58."

H. GREENFIELD, Jt. Secy.

4-Camp/C. No. 21(2)-C. Exc./44.

Copy forwarded to :—

The Collectors of Central Excise.

The Secretary to the Government of Sind, Revenue Department.

The Political and the External Affairs Departments.

The Deputy Director of Inspection, Customs and Central Excises

The Director-General of Commercial Intelligence for publication in the Indian Trade Journal.

By order etc.,

W. A. ROSE,

Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION.

CENTRAL EXCISE.

New Delhi, the 10th March, 1945.

No. 5-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the Central Excise Rules, 1944, namely:—

In rule 65 of the said Rules—

(i) in sub-rule (3)—

(a) for the words "a security bond in the proper Forms" the words "a bond in the proper Form with such surety or sufficient security as the Collector may require" shall be substituted;

(b) the proviso shall be omitted;

(ii) sub-rule (4) shall be omitted and sub-rules (5) and (6) shall be re-numbered as sub-rules (4) and (5) respectively;

(iii) in sub-rule (4) as re-numbered—

(a) for the words, brackets and figures "sub-rules (3) and (4)" the word, brackets and figure "sub-rule (3)" shall be substituted;

(b) for the words "the enquiry" the words "due enquiry", shall be substituted;

H. GREENFIELD, Joint Secy.

No. 5-Camp./C. No. 19 (1)-C. Ex./45.

Copy forwarded to all Collectors of Central Excise; the Political and External Affairs, Departments; the Secretary to the Government of Sind, Revenue Department; the Director of Commercial Intelligence and Statistics for publication in the Indian Trade Journal and the Deputy Director of Inspection, Customs and Central Excises.

By order, etc.,

W. A. ROSE,

Under Secy. to the Govt. of India.

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION.

CENTRAL EXCISE.

Simla, the 21st April, 1945.

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

In rule 58 of the said Rules, after the words "in the proper Form" the words "or in such other form as the Collector may in any particular case allow" shall be inserted.

By order, etc.,

W. A. ROSE,

Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION.

CENTRAL EXCISES

Simla, the 2nd June, 1945.

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

In Form L-2 (Tobacco) of the forms appended to the said Rules, paragraph 3 shall be renumbered as paragraph 4 and before paragraph 4 as so renumbered the following shall be inserted as paragraph 3, namely:—

"3. It is a condition of this licence that the holder shall not use his tobacco for a purpose to which a rate of duty higher than the rate actually paid thereon would be appropriate."

H. GREENFIELD, Joint Secy.

No. 6/C. No. 3(5)-C. Exc. (T.)/45.

Copy forwarded to all Collectors of Central Excise, the Secretary to the Government of Sind, the Political and External Affairs Departments and to the Deputy Director of Inspection, Customs and Central Excises.

By Order, etc.,
W. A. ROSE,
for Joint Secy. to the Govt. of India.

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION.

CENTRAL EXCISES.

Simla, the 16th June, 1945.

No. 8.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), the Central Government is pleased to direct that the following further amendments shall be made to the Central Excise Rules, 1944, namely:—

In Appendix I to the said Rules—

1. In the Table under the heading "Forms" for the entries relating to Central Excise Series No. 32, the following shall be substituted:—

Central Excise Series No.	Description of Form	Rule No.	Short title
32	(with security) for due disposal of excisable goods obtained, without payment of duty, for use in special industrial processes.	192	B-8 (Sec.)
32-A	(with surety) for due disposal of excisable goods obtained, without payment of duty, for use in special industrial processes.	192	B-8 (Sur.)

II. For Form B-5 (Gen. Sur) (Central Excise Series No. 28), the following form shall be substituted:—

Central Excise Series No. 28.

Range.
Circle.

FORM B-5 (GEN. SUR.).

General Bond (with surety/ies) for the due arrival and rewarehousing of excisable goods removed from one bonded warehouse to another.

(Rule 154).

Delete the letters and words not applicable.)

I/We
[hereinafter called the obligor(s)] am/are bound to the Governor General in Council in the sum of _____ of _____ rupees and I/we _____
of _____ (hereinafter called the "First Surety").
of _____ (hereinafter called the "Second Surety").
of _____ (hereinafter called the "Third Surety").
of _____ (hereinafter called the "Fourth Surety").

(all hereinafter collectively referred to as the first Surety, the Second Surety, the Third Surety, the Fourth Surety and each of us severally bound to the Governor General in Council in the sum of _____ rupees each to be paid to the Governor General in Council for which payment I/we the obligor/obligors bind myself/ourselves and our legal representatives and I/we the abovenamed First Surety, the Second Surety, the Third Surety and the Fourth Surety, severally bind myself/ourselves and our legal representatives.

The above bounden obligor(s) being permitted to remove from time to time, conditional on the provisions of the Central Excise Rules, 1944, being observed*, from the bonded warehouse(s) at _____ to other bonded warehouses or vice-versa.

*Here enter description of the excisable goods.

The condition of this bond is that if the obligor(s) and his/their legal representatives shall observe all the provisions of the said Rules, to be observed in respect of the goods so transferred from time to time;

And if the said goods are duly removed to and rewarehoused at the bonded warehouse(s) of destination to which they are permitted to be removed, within such time as the Collector of Central Excise at directs;

This obligation shall be void.

Otherwise and on breach or failure in the performance of any part of the condition, the same shall be in full force.

We declare that this bond is given under the orders of the Central Government for the performance of an act in which the public are interested.

Place.

Date.

Signature(s) of obligor(s).

Witnesses (1) Address (1) Occupation (1).

(2) Address (2) Occupation (2).

Place.

Date.

Signature(s) of Surety(ies).

Witnesses (1) Address (1) Occupation (1).

(2) Address (2) Occupation (2).

Accepted by me this

day of

19

Collector of Central Excise.

III. In Form B-8 (Central Excise Series No. 32), for the existing heading, the following shall be substituted:—

FORM B-8 (SEC.).

Bond (with security) to be entered into by person licensed to obtain, without payment of duty, excisable goods to be used for special industrial purposes.

IV. After Form B-8, as hereinbefore amended, the following new Form shall be inserted:—

Range.

Circle.

Central Excise Series No. 32-A.

FORM B-8 (SUR.).

Bond (with surety) to be entered into by person licensed to obtain, without payment of duty, excisable goods to be used for special industrial purposes.

(Rule 192).

(Delete the letters and words not applicable.)

I/we of [hereinafter called the obligor(s)] and (hereinafter called the surety) are jointly and severally bound to the Governor General in Council in the sum of rupees to be paid to the Governor General in Council for which payment we jointly and severally bind ourselves and our legal representatives.

The above bounden obligor(s) having been permitted by the Collector of Central Excise, (hereinafter called the Collector) to purchase from time to time such quantities of as may be required, not exceeding per year for use in the factory at for the manufacture of the commodity(ies) and in the manner, specified in his/their application No. , dated without payment of duty.

The condition of this bond is that if the obligor(s) shall not make any change in the nature or manner or manufacture specified in his/their application or use the for any purpose other than that stated in the application without the prior approval of the Collector;

And shall observe all the provisions of the Central Excise Rules, 1944, so far as they relate to the use of excisable goods for industrial purposes without payment of duty;

And if all dues, whether excise duty or other lawful charges, which shall be demandable on the goods [obtained by the obligor(s) without payment of duty] as shown by the records of the proper officer of Central Excises, be duly paid into the treasury to the account of the Collector within ten days of the date of demand thereof being made in writing by the said officer of Central Excises;

This obligation shall be void.

Otherwise and on breach or failure in the performance of any part of this condition, the same shall be in full force.

I/We declare that this bond is given under the orders of the Central Government for the performance of an act in which the public are interested.

Place.

Date.

Signature(s) of obligor(s).

Witnesses (1) Address (1) Occupation (1).

(2) Address (2) Occupation (2).

Place.

Date.

Signature(s) of Surety(ies).

Witnesses (1) Address (1) Occupation (1).

(2) Address (2) Occupation (2).

Accepted by me this day of 19

Collector of Central Excise.

V. To Form R. T.-2 (Central Excise Series No. 68), the following shall be added at the back :-

"Central Excise Officer's Account.

Quantity assessed to duty	Serial Nos. of Demands for duty	Removals to bonded warehouse			
		Quantity removed		Serial numbers of	
		Under transport permit	Under transport certificate	Transport permits	Transport certificates

VI. For Form R. T.-5 (Central Excise Series No 71), the following form shall be substituted :—

Central Excise Series No. 71

Range
Circle

FORM R. T. 5

Periodical
Quarterly Return of materials used and goods manufactured
(Rule 55)

Address

Quarter ending
Season from to

Name of Factory

Opening balance of materials	Materials Received		Total Materials		Excisable goods manufactured		Other goods manufactured		Materials wasted or destroyed		Closing balance of material		Remarks		
	Description	Quantity	Description	Quantity	Description	Quantity	Description	Quantity	Description	Quantity	Description	Quantity			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

NOTE.—(1) Separate particular of each description of materials used and of each description of finished goods produced should be given.

(2) The reasons for wastage and destruction should be entered in the 'Remarks' column.

I/We hereby declare that I/we have compared the above particulars with the records and books of the factory and that they are in so far as I/we can ascertain, accurate and complete.

Date

Signature of manufacturer (s)

VII. In the Table annexed to Form R. T. 8(C) (Central Excise Series No. 76) before the existing entry under the heading "molasses made" :—in the second column, against Serial No. 4, the following shall be inserted :—
Total molasses sent out Cwts

H. G. REENFIELD Joint Secretary.

FINANCE DEPARTMENT (CENTRAL REVENUES)

NOTIFICATION

CENTRAL EXCISES

Simla, the 13th October, 1945

No. 10.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely:—

In paragraph 2 of form L.5 of the forms appended in the said Rules, after the words "The licence is granted to Mr./Messrs." the words "who have paid the prescribed licence fee of Rs. _____" shall be inserted.

H. GREENFIELD,

Joint Secretary to the Government of India.

No. 10/C. No. 41 (31)-CXT/45.

Copy forwarded to:—

1. The Collector of Central Excise, Calcutta with reference to paragraph 1 of the minutes dated 7th August, 1945, of the Assistant Collectors' Conference enclosed with his letter C. No. XVI/58-GI/45/24758, dated 23rd August, 1945.
2. Other Collectors of Central Excise.
3. The Secretary to the Government of Sind, Revenue Department, Karachi.
4. The External Affairs Department.
5. The Political Department*.
6. The Director of Commercial Intelligence for publication in the Indian Trade Journal.
7. The Deputy Director of Inspection, Customs and Central Excises.

By order, etc.,

W. A. ROSE,

Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES).

NOTIFICATION.

CENTRAL EXCISES.

Simla, the 27th October, 1945.

No. 11.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the Central Excise Rules, 1944, namely:—

In the forms in Appendix I. appended to the said Rules.—

(i) the following shall be inserted as a penultimate paragraph in Central Excise Series Nos. 3 to 7 and as a final paragraph in Series No. 8.

"I/We hereby declare that no excise licence previously held by me/us has been revoked or suspended or has failed to be renewed owing to a breach of the Act and/or Rules governing the grant of such licence."

The final paragraphs in Series Nos. 3 to 7 shall be renumbered accordingly.

(ii) the following shall be inserted as a final para. in Central Excise Series Nos. 9 to 16:

"This licence may be revoked or suspended or its renewal may be refused, if any declaration made or information given in the application therefor is found to be false or if any undertaking given in such application is not carried out."

H. GREENFIELD,

Joint Secretary to the Government of India.

No. 11/C. No. 27-11-C. Exc. T./45.

1. The Collector of Central Excise, Calcutta, with reference to his letter C. No. VII/34-Tob./45/24052, dated 11th August, 1945.
2. Other Collectors of Central Excise.
3. The Secretary to the Government of Sind, Revenue Department, Karachi.
4. The External Affairs Department.
5. The Political Department.
6. The Director of Commercial Intelligence for publication in the Indian Trade Journal.
7. The Deputy Director of Inspection, Customs and Central Excises.

By order, etc.,

W. A. ROSE,

Under Secretary to the Government of India.

GOVERNMENT OF INDIA
FINANCE DEPARTMENT (CENTRAL REVENUES)
New Delhi, the 26th January, 1946

NOTIFICATION
CENTRAL EXCISES

No. 1-Camp.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendment shall be made to the Central Excise Rules, 1944, namely—

In form A.L.-5 set forth in Appendix I to the said Rules—

after paragraph 3, the following paragraph shall be inserted, namely :—

“*3A. I/we have verified that the surety/sureties specified in the bond(s) executed by us in form(s) under rule(s) is/are alive and is/are solvent.
** Strike out if the application is made for the first time and if the bond has been executed with security”.

H. GREENFIELD,
Joint Secretary to the Government of India.

1-Camp/C. No. 8/6-C.X./45.

Copy forwarded to—

1. All Collectors of Central Excise.
2. The Secretary to the Government of Sind, Revenue Department.
3. The Political Department.
4. The Director of Commercial Intelligence for publication in the Indian Trade Journal.
5. The Inspectorate of Customs and Central Excises.

By order, etc.,
W. A. ROSE,
Under Secretary to the Government of India.

FINANCE DEPARTMENT (CENTRAL REVENUES).
NOTIFICATION.

SALT.

Simla, the 1st April, 1945.

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

Rule.

Salt removed from Saltpetre refineries in the Punjab, the United Provinces, Bihar, Orissa, Delhi or Ajmer-Merwara is hereby exempted from the duty imposed on salt by section 3 of the Central Excises and Salt Act, 1944 (I of 1944), read with section 2 of the Indian Finance Act, 1945—

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

(b) in the case of salt other than Sitta, to the extent of one rupee and one anna per Standard maunds.

By order, etc.,
W. A. ROSE,
Under Secretary to the Government of India.

1/C. No. 90-Salt/45.

Copy forwarded to the Collectors of Central Excise, Delhi, Allahabad and Calcutta, the Government of the Punjab, the United Provinces, Bihar and Orissa, Chief Commissioner of Delhi and Ajmer-Marwara and the Accountant General, Central Revenues.

By order, etc.,
W. A. ROSE,
Under Secretary to the Government of India.

GOVERNMENT OF INDIA
FINANCE DEPARTMENT (CENTRAL REVENUES)
NOTIFICATION

SALT

Simla, the 26th May, 1945

No. 4.—In exercise of the powers conferred by clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), and in supersession of the notification of the Government of India, in the Finance Department (Central Revenues), No. 28-Salt/27, dated the 1st October, 1927, the Central Government is pleased to remit the duty imposed under sub-section (I) of section 3 of the said Act on salt manufactured in the Province of Madras or in the territories transferred from the Province of Madras to the Province of Orissa by the Government of India (Constitution of Orissa) Order, 1936, when such salt is used in the Province of Madras or in the said territories or, with the special approval of the Central Government, in any other place for any industrial purpose other than the preparation of refined salt or as an ingredient or preservative in any article of food or drink, subject to the following rules :—

Rules.

1. Any person intending to use salt in an industrial process (hereinafter referred to as the manufacturer) and wishing to be admitted to the concession shall make an application to the Assistant Collector of Central Excise of the division in which his works are situated (hereinafter referred to as the Assistant Collector). If he wishes the concession to extend to more than one factory or works, a separate application must be made for each such factory or works. Each application shall contain a statement of the estimated monthly quantity of salt required, of the salt factory or depot from which it is desired that it may be issued, and of the purpose and manner for and in which it is intended to be used, as well as a declaration that the salt applied for will be used solely for such purpose and in such manner, and it shall be accompanied by a fee of Rs. 100 : Provided that if the concession is granted after six months of a financial year have expired, the fee payable for the said year shall be Rs. 50 and that if the full annual fee of Rs. 100 has been paid and a concession is surrendered before the expiry of six months of a financial year or in the case of a new grantee within six months of the grant, Rs. 50 shall be refunded.

2. If the Assistant Collector is satisfied, from his previous knowledge of the manufacturer or from inquiries or otherwise, that he is a person to whom the privilege of the duty-free issue of salt may be allowed without danger to the revenue, he shall then inspect the works, or shall depute an Inspector to do so, or if the works are situated in the Mysore State, shall arrange for their inspection by an officer of the State and shall satisfy himself that they contain a secure store room for the custody of the salt. If the Assistant Collector finally approves the application, he shall require the applicant and one approved surety to execute a bond in Form I annexed hereto which he shall forward to the Collector of Central Excise (hereinafter called the Collector) for signature on behalf of the Central Government and shall at the same time issue an order for the delivery of the salt from the factory or depot named by the manufacturer. The concession shall expire on the 31st March, each year, but may be renewed if the Assistant Collector sees no reason to the contrary on payment of a fresh fee of Rs. 100 for each financial year.

3. When the delivery of the salt is required the manufacturer shall give not less than twenty-four hours' notice, exclusive of Sundays and of sanctioned holidays, to the officer in charge of such factory or depot, at the same time remitting to him the price of the salt at such rate as the Collector, may from time to time, prescribe.

4. The salt shall be removed from the factory or depot in gunny bags, to be provided by the manufacturer, and to be approved by the Collector each of which shall contain two maunds of salt and shall be sealed by or under the orders of the Collector.

5. The manufacturer shall be bound to convey the salt direct with unbroken seals from the factory or depot to his works. He shall there keep it in a store-room approved by the Assistant Collector in the bags in which it was removed from the factory or depot. The bags shall not be opened before the salt is actually required for use nor shall the seals be broken or removed except in the presence of the manufacturer or his manager, who shall be a person approved by the Assistant Collector.

6. The key of the room in which the salt is kept shall be in the personal custody of the manufacturer or his manager who shall execute an agreement in Form II annexed hereto and who shall maintain an account in Form III annexed, showing the quantity of salt received, the quantity expended from time to time with the purpose for which, and the manner in which, it has been used and the daily balance in hand. He shall also maintain any other accounts which the Collector may prescribe in connection with the issue of salt for any particular trade. The factory or works may be entered into and examined at any time by any magistrate or by any officer of Police not below the rank of Inspector or by any officer of the Central Excise Collectorate not below the rank of Sub-Inspector or by any person whom the Assistant Collector or other superior officer of the Collectorate may at any time specially empower in this behalf, or by any officer of the Central Excise Collectorate of a Province other than Madras who may be especially empowered in this behalf by the Central Board of Revenue or by any officer of the Mysore State empowered in this behalf by the Durbar in respect of factories or works situated within that State, and due facilities for examining the accounts as well as for checking the stock of salt received, expended and in hand, shall be afforded by the manufacturer and all other persons employed by him.

7. Save with the written permission of the Assistant Collector or in unavoidable circumstances such as the occurrence of a fire or the like, salt shall be removed from such store-room only for use for the purpose and in the manner specified in the manufacturer's application. All salt so removed for use shall be at once so used. All spent lye or other useless refuse containing salt shall be effectually destroyed on or near the premises in such manner as the Assistant Collector may direct.

8. The Central Government reserve to themselves power to impose a preventive establishment on the manufacturer at his expense whenever the Collector considers it necessary for the protection of the revenue to do so.

9. In case of any infraction of these rules, the permission to use salt duty-free in the manufacture will be liable to be withdrawn and all salt remaining in store will be liable to be destroyed under the orders of the Assistant Collector. No refund will be made on account of the price of salt so destroyed.

10. If any salt issued under these rules is not duly accounted for as having been used for the purpose and in the manner stated in the manufacturer's application, the manufacturer shall, on demand by the Assistant Collector, be bound immediately to pay to Central Government duty on all salt so unaccounted for at double the rate of duty on salt for the time

leviable under the Central Excises and Salt Act, 1944 (hereinafter referred to as the Act, or other law for the time being in force and relating to the salt revenue.

The above condition does not prejudice the liability of the licensee to prosecution under Section 9 of the Act or other law for the time being in force relating to the salt revenue, if it shall appear that such salt so unaccounted for has been otherwise used by him or with his consent or connivance so as to defraud the salt revenue.

11. After the Assistant Collector has once given permission for the duty free issue of salt to any manufacturer, it shall not be necessary so long as that permission remains unrevoked for the manufacturer to apply to the Assistant Collector for the issue of such further supplies as he may require in the conduct of his business for use for the same purpose and in the same manner in the same official year. It will be sufficient for him to apply to the officer in charge of the factory or depot from which the first issue was made. The manufacturer shall be bound to remove and keep the salt issued on the second and all subsequent occasions in bags bearing a distinctive mark differing from that borne by the bags in which the salt issued on the first or any previous occasion was issued and kept, and not to use any of it until the whole of all previous issues has been expended and entered as expended in his account.

12. The permission to remove salt duty-free under these rules may at any time be cancelled and withdrawn by orders of the Collector without cause being assigned, in which case the manufacturer shall be bound to deliver up to the Assistant Collector or to such person as he may, in writing, appoint to receive the same, all salt removed under these rules which may then remain unexpended in the custody of the manufacturer who shall be entitled to payment therefor at the rate at which he paid for it, but to no other payment or compensation whatever.

13. Any person who may be dissatisfied with an order passed by the Assistant Collector under these rules may appeal to the Collector and any person dissatisfied with an order passed by the Collector under these rules may appeal to the Central Board of Revenue.

FORM I

Form of Bond (see Rule 2)

Know all men by these presents that we.....of.....and.....of.....are jointly and severally bound to the Governor General of India in Council in the sum of Government Rupees*.....to be paid to the said Governor General in Council for which payment we jointly and severally bind ourselves and our legal representatives.

Dated this.....day of.....19

Witness to the signature of the said (Sd.).

Witness to the signature of the said (Sd.).

The above bounden.....(hereinafter called the manufacturer) having been permitted to remove from time to time from the salt factory or depot at.....such quantities of salt as he may require not exceeding.....Indian Maunds at a time per month for use in his manufactory of.....at.....for the purpose and in the manner below stated without payment of duty under the rules, of which a copy is hereunto annexed.

Purpose of use. Manner of use.

The condition of this obligation is that if the manufacturer and his legal representatives and his or their servants employed in the said manufactory shall at all times well and truly observe and keep the conditions of the said rules, then this bond shall be void, otherwise the same shall remain in full force.

Signed on behalf of the said Governor-General in Council by.....Collector of Central Excise, Madras on the.....day of.....19

COLLECTOR OF CENTRAL EXCISE.

Witness to the signature of the Collector of Central Excise.

Note—After the establishment of the Federation of India the words 'in Council', wherever they occur, shall be omitted.

FORM II.

Form of agreement (see Rule 6).

I.....of.....being appointed by.....to be manager of his.....manufactory at.....for use in which for the purpose and in the manner below set forth the duty-free issue of salt has been permitted by the Assistant Collector of Central Excise.....Division, under the Rules, a copy whereof is hereunto appended do hereby declare that I will faithfully observe and keep all the conditions of the said Rules and will, so far as income lies, cause all servants employed under my orders in the said manufactory so to observe and keep them.

Purpose of use;

Manner of use;

*Here enter double duty on the salt allowed to be removed.

I understand that in the event of any portion of the said salt being used otherwise than for the said purpose or in the said manner, so as to defraud the public revenue, by me or with my connivance or consent, I shall be liable to fine and imprisonment under Section 9 of the Central Excises and Salt Act, 1944 (I of 1944), or other law for the time being in force and relating to the Salt Revenue.

Signed on the.....day of.....19 , in the presence of

FORM III.

Daily account prescribed under Rule 6 of the receipts and expenditure of salt issued duty-free for use in manufactures at the.....Manufactory at.....

Date	Receipts				Expenditure			Balance in hand	Signature of the manufacturer, or his Manager, or the Officer-in Charge.	Remarks by the Inspecting Officer
	Date of bond under which received.	Quantity received	Factory from which received	Total received	Purpose for and the manner in which used.	Quantity used.	Total used			
1	2	3	4	5	6	7	8	9	10	11
		I Mds.		I Mds.		I Mds. S. T.	I Mds. S. T.	M 1. S. T.		

N.B.—This account should be closed and the balance of salt in hand be carried forward to a new account on the first day of April in each year.

R. J. PRINGLE,
Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA
FINANCE DEPARTMENT (CENTRAL REVENUES)
Simla, the 22nd September, 1945
NOTIFICATION
SALT

No. 6.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944) the Central Government is pleased to direct that the following amendments shall be made in the Sind Salt Rules (1940, published with the Resolution of the Government of Sind in the Revenue Department, No. 223-B., dated the 15th January, 1940, namely:—

In the said Rules—

(i) For Rule 8 of the following shall be substituted, namely:—

"8. The hours of work during which salt shall be issued for removal shall be from 8.0 A.M. to 6.0 P.M., excluding a period of recess from 1.0 P.M., to 3.0 P.M. When, however, during the said period of recess salt is being removed from a salt works by sea under the Salt Transport and Export, Rules, 1943 and the trader so desires, arrangements for work during the period will be made only when the steamer taking cargo is in harbour. Issues of salt for removal under the Salt Transport and Export Rules, 1943, may, however, be allowed during night on payment of fees prescribed in rule 12 but no removals of such salt shall be allowed from the salt works at night, except by sea. At Dilyar and Saran the hours of work may be varied by the Superintendent to suit the local conditions, with the approval of the Revenue Commissioner for Sind."

(ii) In rule 9, for the words and figures "Transport and Export Rules, 1933", the words and figures "Salt Transport and Export Rules, 1943", shall be substituted.

(iii) The following shall be inserted as Rule 12-A, namely:—

"12-A. When salt is removed in bond from a salt works by land for shipment at the port of export, the transporter or exporter shall pay a fee of annas three per hour or part thereof for every escort posted by the Superintendent. The fee so recovered shall, in the first instance, be credited to Government and later drawn on a bill and paid to the guard (naiks and peons) as overtime allowance according to the period of extra work put in by him

Note.—The fee shall be payable from the time the escort is placed at the disposal of the applicant to the time he is brought back to the works by him. The applicant shall make arrangements for the escort's transport to and fro at his (applicant's) cost."

R. J. PRINGLE,
Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA
FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 13th October, 1945

NOTIFICATION

SALT

No. 7.—In exercise of the powers conferred by clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944) the Central Government is pleased to direct that the following amendment shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No. 4-Salt, dated the 26th May, 1945, namely :—

For Form III of the forms annexed to the said rules, the following form shall be substituted, namely :—

“FORM III
(See Rule 6)

Daily account of receipts and consumption of salt in the manufacture of.....at the manufactory at.....

Date	Date and No. of bond	Opening balance	Quantity received	Factory from which received	Total in stock	Quantity issued	Closing balance	Quantity of manufactured	Signature of Manufacturer or Manager	Remarks
1	2	3 I Mds. S. T.	4 I Mds.	5	6 I Mds. S. T.	7 I Mds. S. T.	8 I Mds. S. T.	9 10	10	11

N.B.—This account should be closed and the balance of salt in hand be carried forward to a new account on the first day of April in each year”

R. J. PRINGLE,
Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 3rd November, 1945

NOTIFICATION

SALT

No. 8.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944) the Central Government is pleased to direct that the following further amendments shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No. 1-Salt, dated the 12th January 1935, as amended from time to time, namely:—

I. In the said Rules—

1. In rule 1, after the words "for each such factory or works" the words "even if they are situated in the same premises" shall be inserted.

2. After rule 1, the following rule shall be inserted, namely—

"1-A. The Central Government or the Collector; while sanctioning an application, may, if necessary, fix the maximum quantity of salt upto which refund of duty may be allowed in a year. The sanctioning authority may fix different maximum limits for different factories and works run by a manufacturer. The limit so fixed may be varied from time to time by the sanctioning authority".

3. Rule 3 shall be renumbered as sub-rule (1) of that rule and in sub-rule (1) as so renumbered—

(i) after the words "salt works" the words "saltpetre refinery, Government golah, Government" shall be inserted:

(ii) for the words "supported by the.....returned to the manufacturer" the words "supported as the case may be by the (1) receipt in form A, of the firm from which salt has been purchased, (2) salt removal permit in form A-I in the case of salt obtained from private salt works or saltpetre refineries, (3) certificate in form A-II in the case of salt obtained from Government salt works or depots or (4) customs receipt or a copy of the import bill of entry showing that customs duty has been paid in the case of imported salt removed from Government golahs. These documents shall not be returned to the manufacturer" shall be substituted; and

(iii) after sub-rule (1) as so renumbered the following shall be inserted, namely—

"(2) No refund of duty shall be allowed unless an application for such refund reaches the Assistant Collector within six months of the close of the relevant half year."

4. Rule 7 shall be renumbered as sub-rule (1) of that rule and after sub-rule (1) as so renumbered the following shall be inserted, namely:—

"(2) Each consignment of salt procured by the manufacturer under this concession shall be stored separately in the store-room and distinctively marked, and the manufacturer shall not use any salt from any such consignment until all the salt previously procured has been expended and entered as expended in his accounts".

5. In rule 8—

(1) to sub-rule (2) the following shall be added namely:—

"provided that when the store-keeper is away from the premises of the factory or works he shall leave the key with the Manager."

(II) after sub-rule (2) the following shall be added as sub-rule (3), namely—

"(3) The key of the store-room shall be available at the premises of the factory or works to facilitate inspection of the salt godown by inspecting officers, at any time between the hours of sunrise and sunset, failing which the manufacturer shall be liable to a fine not exceeding rupees one hundred for each occasion the inspecting officer has to return without being able to inspect the godown".

6. In rule 10, after the words "in Form B" the words "appended to these rules" shall be inserted.

7. To rule 11, the following shall be added at the end, namely—

"The Collector may, however, permit the manufacturer to stock Khewra rock-salt in bulk."

II. In the forms appended to the said Rules—

1. in form A after the words "Receipt" the words "in case of salt purchased from a firm of approved dealers" shall be inserted; and

2. after form A, the following forms shall be added, namely—

"FORM A-I

Form of permit in respect of salt obtained from private salt works or saltpetre refineries
(Rule 3)

Mr./Messrs. _____ concessionaire(s) is/are permitted to remove
maunds of salt from _____ Salt works/saltpetre or
factory/refinery for use in his/their factory at _____
Date. _____ Inspector.

FORM A-II

Form of Certificate in respect of salt obtained from Government salt works or depots.

(Rule 3)

Certified that wagon(s) maunds) of salt
has/have been cleared on against indent No.
dated....., placed by Mr./Messrs.....
concessionaire(s) at the.....treasury.

Date. _____ of the..... Officer Incharge,
Depot/Works."

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 3rd November, 1945

NOTIFICATION

SALT

No. 10.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the rules published with the notification of the Government of India in the Finance Department (Central Revenues), No. 5-Salt, dated the 4th February, 1928, as amended from time to time, namely:—

I. In the said Rules—

1. To rule 2, the following shall be added, namely—
"even if they are situated in the same premises."

2. After rule 2, the following shall be inserted, namely—

"2-A. The Collector, while sanctioning an application, may, if he considers necessary, fix the maximum quantity of salt up to which refund of duty may be allowed in a year. He may fix different maximum limits for different factories and works run by a manufacturer. The limit so fixed may be varied from time to time by the Collector."

3. In rule 4—

(i) for sub-rule (1) the following shall be substituted, namely—

"(1) The concession shall only be allowed on salt used on and from the date of deposit of the inspection fee into the Treasury. After making this payment the manufacturer shall in the first instance provide himself with duty paid salt for use in the process mentioned in his application under rule 2, by purchase from a salt works or a firm of salt dealers approved by the Collector, and shall at the close of each quarter submit to the Assistant Collector an application for a refund of duty on the salt used which should be supported by the Salt Removal Permit in Form A, in the case of salt obtained from a salt works or the receipt in Form B, of the firm from which salt has been purchased. The forms A and B are appended to these rules."

(ii) after sub-rule (4) the following shall be inserted, namely—

"(5) No refund of duty shall be allowed unless an application for such refund reaches the Assistant Collector within three months of the close of the relevant quarter."

4. After sub-rule (2) of rule 5 the following shall be inserted, namely—

"(3) Each consignment of salt procured by the manufacturer under this concession shall be stored separately in the store-room and distinctively marked, and the manufacturer shall not use any salt from any such consignment until all the salt previously procured has been expended and entered as expended in his accounts."

5. In rule 6—

(i) to sub-rule (2), the following shall be added, namely—

"provided that when the store-keeper is away from the premises of the factory or works, he shall leave the key with the Manager of the factory"; and

(ii) after sub-rule (2) the following shall be inserted, namely—

"(3) The key of the store-room shall be available at the premises of the factory or works to facilitate inspection of the salt godown by inspecting officers, at any time between the hours of sunrise and sunset, failing which the manufacturer shall be liable to a fine not exceeding rupees one hundred for each occasion the inspecting officer has to return without being able to inspect the godown."

6. In rule 9, for the words "the form" the word and letter "Form C" shall be substituted.

II. (i) in the form appended to the said Rules, the word and letter "Form C" shall be inserted above the words "Salt Register"; and

(ii) before the said form, the following forms shall be inserted, namely—

"FORM A

Form of Permit in respect of salt obtained from private salt works.

(Rule 4)

Mr./Messrs. *.....concessionaire(s) is/are permitted to remove
.....maunds of salt from..... salt works
or factory for use in his/their factory at.....

Date.

Inspector.

FORM B.

Form of Receipt in respect of salt purchased from a firm of approved dealers.

(Rule 4)

Received from the.....sum of Rs.....in payment for
.....maunds of full duty-paid salt purchased for use in his/their factory
at.....

Date

Signature of Approved dealer".

R. J. PRINGLE,

Deputy Secretary to the Government of India.

GOVERNMENT OF INDIA

FINANCE DEPARTMENT (CENTRAL REVENUES)

Simla, the 15th December, 1945.

NOTIFICATION.

SALT.

No. 11.—In exercise of the powers conferred by clause (v) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to direct that the following further amendments shall be made in the rules issued with the Notification No. 561, dated the 18th December, 1899, under clause (b) of Section 85-A, of the Madras Salt Act, 1899 (Madras Act IV of 1899), namely:—

(1) In section B, of the said Rules—

(a) in rule 7, for '5 P.M.' substitute '4 P.M.'; and

(b) in rule 8, for the figure and words '8 A.M.' and will continue until 1 P.M.' substitute '7 A.M., and will continue until NOON'.

(II) In rule 3 (VIII) of section C, of the Said Rules, for '6 P.M.' substitute '5 P.M.'.

A. A. BURNEY,

Deputy Secretary to the Government of India.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Sir, will all these papers form part of our proceedings and will therefore be circulated to us?

Mr. President: I understand the procedure is that short statements are included in the Assembly proceedings, but if the statements are long they are placed on the Library Table.

HINDU MARRIAGE DISABILITIES REMOVAL BILL

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I beg to move for leave to introduce a Bill to remove legal disabilities under Hindu Law in respect of marriage between Hindus.

Mr. President: The question is:

"That leave be granted to introduce a Bill to remove legal disabilities under Hindu Law in respect of marriage between Hindus."

The motion was adopted.

Dr. G. V. Deshmukh: Sir, I introduce the Bill.

HINDU MARRIED WOMEN'S RIGHT TO SEPARATE RESIDENCE AND MAINTENANCE BILL

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I beg to move for leave to introduce a Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances.

Mr. President: The question is:

"That leave be granted to introduce a Bill to give Hindu married women a right to separate residence and maintenance under certain circumstances."

The motion was adopted.

Dr. G. V. Deshmukh: Sir, I introduce the Bill.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I beg to move for leave to introduce a Bill further to amend the Special Marriage Act, 1872, for certain purposes. *

Mr. President: The question is:

"That leave be granted to introduce a Bill further to amend the Special Marriage Act, 1872, for certain purposes."

The motion was adopted.

Dr. G. V. Deshmukh: Sir, I introduce the Bill.

DELHI SIKH GURDWARAS AND RELIGIOUS ENDOWMENTS BILL.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I beg to move for leave to introduce a Bill to provide for the better administration of the Sikh Gurdwaras in the Delhi Province and their properties wheresoever situate.

Mr. President: The question is:

"That leave be granted to introduce a Bill to provide for the better administration of the Sikh Gurdwaras in the Delhi province and their properties wheresoever situate."

The motion was adopted.

Sardar Mangal Singh: Sir, I introduce the Bill.

COMMITTEE ON PETITIONS.

Mr. President: I have to announce that under sub-order (1) of Standing Order 80 of the Legislative Assembly Standing Orders the following Honourable Members will form the Committee on Petitions, namely:—

1. Syed Ghulam Bhik Nairang.
2. Mr. Sri Prakasa.
3. Mr. T. Chapman-Mortimer.
4. Sardar Mangal Singh.

According to the provision of the same Standing Order the Deputy President will be the Chairman of the Committee.

The Assembly then adjourned for Lunch till Four of the Clock.

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

MOTION FOR ADJOURNMENT

FAILURE OF THE GOVERNMENT OF INDIA TO INSTRUCT ITS DELEGATE TO U. N. O. TO CONVEY TO THE SECURITY COUNCIL STRONG VIEW OF THE ASSEMBLY re ANGLO-DUTCH OPERATIONS AGAINST INDONESIA

Mr. President: Before the Honourable Member, Mr. Asaf Ali, begins, I might just invite the attention of the House to the limitations of this debate. As I have stated while admitting the motion, the scope of the motion is restricted to the failure of the Government of India in communicating or not communicating the wishes of this House to their representative in London. So far as the original merits are concerned, there has been a discussion once in this House and that discussion will not be permitted, and I hope that the Honourable Members will co-operate with me in not going into the merits of the question. Perhaps some remarks may be necessary, but that is only just to introduce the subject. The scope of the motion is only restricted to the failure of the Government of India.

Mr. M. Asaf Ali (Delhi General): I am thankful to you, Sir, that you have defined the scope of today's debate and have in a way given me and others also necessary guidance in the matter so that we may not stray into forbidden fields. Sir I move:

"That the Assembly do now adjourn."

Sir, when I gave notice of this motion for adjournment to discuss a definite matter of urgent public importance, namely, the failure of the Government to instruct its delegate to the United Nations Organisation to convey to the security Council now in Session in London the strong views of the elected members of the Assembly on the subject of Anglo-Dutch operations against the nationalist forces in Indonesia, I meant to do no more than merely expose the true nature and attitude of the External Affairs Department and the Government of India in relation to the elected side of the House. We have been invited from time to time to consent to participate in international conferences and it is suggested to the world, I suppose, and also to India, that we are really attaining an international status. Perhaps we may have been induced to consider these invitations as genuine if the real spirit of the Government of India was not expressed in the kind of reply that was given by the External Affairs Secretary this morning. He, in the first place, tried to evade the issue. He tried to put in the way of my adjournment motion technical difficulties and finally he got up and said "after all it is our duty to decide as we happen to be the Government of the day, whether the views expressed in this House should or should not be communicated to anybody outside the country. It is we who have to judge whether the views and opinions of this House are worth considering at all"—that is what he said in effect. On the one hand we are being told, and also the world is being told from day to day that India is on the threshold of freedom; that India is about to attain her full stature; that India is about to take charge of her own destiny; and it is only a matter of weeks before the popular representatives will be sitting on the other side of the House and they will be shaping the destinies of India according to their own wishes. If that is true, is it or is it not correct that the Government of India should treat the opinion and views of this House as if they were binding upon them? After all if they are no more than caretakers for the next three or four weeks, or may be two or three months, then, as caretakers, it is their duty to take into consideration and to give full weight to the opinion of this House and to deal with us in a manner as if they were responsible to us. We do not find it to be so. On the contrary we find that in a matter which is of the most vital importance not merely to India but, to the whole world, they treat our opinion with scant courtesy and dismiss it almost unceremoniously. And they have the audacity to come and tell us 'well, we do not think that the opinion of this House, as expressed by the elected Members of this House, is worth considering, and therefore we have not communicated it to our representative who has gone to participate in the U. N. O. Conference in London'. We are not aware whether their delegate to the United Nations Organisation has any voice in the Security Council, but in any case even if he had any voice, it is obvious that he is not required to voice the feelings and the views of India. He is only required to voice the feelings and views of his masters. If that is so, the only reply we can return is that we cannot possibly agree to any person going to any of these international conferences and pretending that he represents India. He does not represent India; he represents somebody else, somewhere else.

When the United Nations Organisation was started, it had the following principles before it. Its purposes and principles are defined as follows:—

"The purpose of the United Nations are to maintain international peace and security, and to that end to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means and in conformity with the principles of justice and international law an adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

Further, to achieve international co-operation in solving international problems of economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms, for all. . . .”—mark the words—“fundamental freedom for all. . . .”—“(for all without distinction as to race, sex, language or religion).”

Now, Sir, in so far as these objectives and principles are concerned, India has expressed herself over and over again both in and outside this House in unmistakable terms. We do not want any subject country to remain subject to any other country anywhere in the world. We want to see free nations flourish all over the world without any interference by outsiders. We do not want any foreign governments to come and exploit other countries, much less do we want strong countries to come and exploit weaker countries. That is our view, and in so far as Indonesia is concerned, we have made it perfectly clear that we do not want the Dutch Government to go and establish their sovereignty there now when they cannot possibly do it on their own even on the basis of brute power. They have to be supported by someone else; and we have made it perfectly clear that we do not want the British Government to support the Dutch in re-establishing their sovereignty in Indonesia which had all but disappeared before the British began to support them. This is a view which is based not merely on the fundamental freedom of the nations but it is also based on the fundamental issues of the human race, namely, that we do not want any wars to recur in this world and we do not want the causes of war to fester in the body politic of humanity. It was our view that the Indonesian trouble should be brought to an end as quickly as possible. This view ought to have been communicated to their delegate who had gone to the United Nations Organisation, so that he might have conveyed it to the Security Council, even if he had no direct voice in the Council, and the world should have known how India was viewing this problem. It would have lent support to the view expressed by some one who cannot easily be brushed aside even by the United Nations, namely, the representative of Russia. And what did he have to say about the situation? He says that the messages received from Hague show that “we can expect still more extensive military activities against the Indonesians” and he says: “I must submit that such activities are fraught with threats to future peace and security”. Further he says “I feel I am unable to admit that operations of this kind against popular elements and a nationalist movement are limited to action against terrorists and for the maintenance of order. I must say how strongly I feel myself in agreement with Mr. Noel Barker, the British Minister of State and a U. N. O. delegate who says that the phrase ‘restoration of orders’ often has a most sinister connotation in connection with colonial history”. Again, he sums up the situation by saying:

“And we say that war is being waged against the Indonesian population. This is a very dangerous situation. It is dangerous to the future. It may light a spark which may set light to the powder-barrel and start a world-wide conflagration.”

Can anything be more vitally interesting to us? It is we here, who represent the country—well to whatever extent we do—who are fully aware of the fact that on two different occasions during the last 25 years, this country has been dragged into devastating wars and their effect is visible in the country to anyone who may pay even a flying visit here. Only the other day we were discussing the food situation and we know what is going to happen. Was not this situation in India greatly aggravated by the operations which were started here during the last war? Sir, if another war is in the offing, I can imagine what is likely to happen to the whole world.

Mr. President: The Honourable Member must now finish.

Mr. M. Asaf Ali: I am finishing. . . It might go up in smoke. Well, if those who want to contend for power want to go up in smoke they are perfectly welcome to do so. We do not want to be a party to any such proceedings and it is on that basis that I censure this Government for not communicating our views and feelings to the proper person who might have conveyed them to the Security Council of the United Nations Organisation.

Mr. President: Motion moved:
 "That the Assembly do now adjourn."

Sir Mohammad Yamin Khan (Agra Division: Muhammedan Rural): The narrow issue before the House is whether it was part of the duty of the Government of India to convey the feelings and the views of this country to the representatives who have gone to take part in the deliberations on behalf of India. The Honourable the Foreign Secretary said this morning that he did not consider it to be a part of his duty to convey these ideas. Now the House wants to impress on the Government that it is their duty and it must be discharged by the Government of India whenever they find that there is a feeling in the country on any issue. The Honourable the Foreign Secretary knows fully well that there is a strong feeling in this country on this issue which has been properly ventilated in this House on the last occasion. I need not go into the details of what took place and how those ideas have been conveyed to the Government. I think it was the duty of Government to have conveyed those feelings of the country. It is not only a matter of mere sentiments and feelings but it vitally concerns the future independence of this country. India has got feelings for all the Asiatic countries and the liberation of the Asiatic countries is an issue which should be made known to all the people of the United Nations who are taking part in the discussions outside India and they must be fully informed that this House, as representative of the people, voices the feelings of practically everybody in this country. These nations should be so treated so that they may achieve their freedom and there should be no action taken which may postpone the independence or hamper the achievement of independence of any country.

It was alleged in this House that it was not the Government of India which was taking any part but it was on the orders of the Home Government that these actions had been taken.

Our position, Sir, is this: If His Majesty's Government takes any action on behalf of India, then they should be fully informed about the feelings of India, and not only His Majesty's Government but also the representatives who have been delegated from here to take part in the deliberations of the U. N. O. Our representatives should support the views as they have been ventilated in this House. That is the narrow issue and I think my Honourable friend, the Secretary for External Affairs, said that he did not feel it his duty to communicate the views of this House to our representatives. By this motion it is our intention to impress upon him that it is a part of his duty to do so and that he shall in future discharge his duty properly and even now I hope he will convey to our representatives,—people who have been deputed as our representatives and who call themselves as our representatives—to voice our feelings.

With these words I support the motion.

Sir Hassan Suhrawardy (Burdwan and Presidency Divisions: Muhammedan Rural): Sir, I also want to add my feeble voice to the motion for adjournment so ably moved by the Deputy Leader of the Congress Party. The issue before us, as Asiatics and as Indians, is one of self-respect, which I very much wish our Honourable friend on the Treasury Bench will respect. Ours are the wishes of the Indian people, the elected representatives of the Indian people, elected representatives who are sitting on the Congress Benches and on the Benches of the Muslim League. How often have we not heard that if India unites, if the Muslim representatives and the Congress Hindu representatives united, we are going to get every thing. Well, the action of the Government of India as expressed by the Honourable Secretary for External Affairs has absolutely shaken the foundation of this oft-repeated slogan of Whitehall and Delhi—"Unite and you will get what you want." We cannot even get common justice, we cannot even get ordinary decent treatment and the united wishes of this country are not forwarded to our own representatives sitting at the U.N.O.—our representatives who have gone there on the money of the Indian rate-payers, whom we represent here. If that is the position, our position must be very very poor indeed.

Then, as the Deputy Leader of the Congress Party pointed out, we have been told that we are on the threshold of self-government. The oft-repeated promises of the British have given rise in us to a spirit of self-respect and to rise to full human stature which we wish that those gentlemen who sit on the Treasury Benches will respect. We do not ask for very much more. The united voice of India wanted that in the struggle for freedom of the Asiatic nations against exploitation and domination the British and Dutch Imperialisms should not unite to crush it. Are these the values for which India shed her blood, sent her manhood abroad and spent her money? The war was over only a few months ago and we are told that our united voice is not worth consideration and that our representatives sitting today in London are not going to be told what we want them to say. May I ask, are our representatives at the U.N.O. dumb-driven cattle of the British? If that is so, say so: we will then know where we stand then.

Sir, I do not wish to take the time of the House, as there may be many other speakers who would wish to express their feelings. I only wanted to let the gentlemen who sit on the Treasury Benches to realise that when India wishes a thing, whether it is the wish on behalf of the Muslims or of the Hindus, it should be respected and if it is the united voice of India, I ask them to stand true to their word that the united voice of India shall be respected.

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): Mr. President. Being a back-bencher I would naturally hesitate to take part in a matter which would raise controversial issues but since the issue before the House today is a very simple one I venture to tread upon the ground.

Sir, I can understand my Honourable friend, the Government spokesman, objecting to the admissibility of the motion. After all I can understand that he is avoiding discussion on a subject, in which the Government had no case. But after, in your wisdom, you decided to admit the motion, I thought that as a sportsman my friend over there at 4 P.M. would come and say that the Government made an honest mistake and that they were going to rectify it. But, Sir, I was disappointed since that sportsmanlike attitude was not exhibited.

Mr. President: The Honourable Member has not spoken yet.

Mr. Sasanka Sekhar Sanyal: There would have been no occasion for anybody to speak if he had stood up like a brave man and said that it was an inadvertant mistake, in which case there would have been no occasion for the debate and somehow or other the discussion would have taken a different turn.

Sir, the question, as has been said by the previous speakers, is a straight one. It is a question of propriety on the part of the Government. We have been told for many years that democracy functions by discussion. A democratic government is a government by discussion. If that is so, then it is expected that democratic discussions will receive the respect that is due to it. Though it is not expected that the Government and the Opposition will agree on every matter, it is certainly expected that when the House gives its verdict upon a particular matter, that verdict will go out to the world as a matter decided upon in the wisdom of the House on the basis of considered discussion.

Sir, Parliaments in our country are rather peculiar. The provinces are connected with the Centre. the Centre of this country is connected with the British Parliament and the British Parliament is also connected with what we are seeing, under the restriction of the U.N.O. If that is the chain, and if that is the link, is it too much for us to expect that whatever is discussed in a representative Assembly, as far as it is representative, should go out to the world with all its implications.

Sir, what is the position of our delegate there? Is he there to voice the opinions of the big men of the United Kingdom or is he there to bear the

[Mr. Sasanka Sekhar Sanyal]

burden of the opinions which are voiced in this country? If the discussions of the elected representatives of the people of this country are treated with such scant respect, I submit, Sir, it is no use flaunting the words that popular government is going to be inaugurated in this country. The other day the leader of the European Group spoke in terms to suggest anticipation. The War Secretary yesterday also spoke in terms of anticipation. Sir, if they could anticipate even the semblance or a fraction of popular government, what would be the position? The position would be that the voice of this House would be heard not only outside this House in this country but also beyond this country, because the position is clear that the fate of this country is more allied to the Asiatic nations and the Asiatic people than with Europeans who for the time being are holding the key position, and these European friends know it too well. Therefore they do all that lies in their power to keep the world outside as much in the dark as possible regarding the feelings and decisions of this House. We not only feel for our Asiatic sister countries: we have pledged our faith to them, and the British power knows that the alliance with Russia is more or less an uncertain factor. They are not yet certain as to the direction in which the Russian power will travel in the near future. Therefore it is a planned policy on their part to keep us as much away from Russian contact and contact with sister Asiatic countries as possible; and I submit this sort of test-tube democracy will not do. After all, we are not going to be a party to being mere dolls in a house in which we have neither power nor the position in the outside world. What would be the position if this government was even partly responsible? The verdict on the Indonesian question would have led to the resignation of the Treasury Benches. But even if the Treasury Benches which are under the terms of the constitution irremovable, even if we cannot remove them, at least we can expect that they would treat us as gentlemen and as decent persons and as representatives of the people and they will at least give us the credit that we want, when we discuss anything, that our discussion and decision should be heard outside.

May I put a question to the Treasury Benches? If the decision of the House was otherwise than it has been, supposing the adjournment motion had failed on that occasion, I am sure my friends on the Treasury Benches, instead of flashing out the theory that they have no obligation to send out the message of this country to the U.N.O. Council, they would have chartered a special plan and by messenger they would have sent the proceedings of this House to the U.N.O. But since the decision has been against them, they come and say that it is no part of their obligation. It is part of their obligation, and I submit that this sort of treatment meted out to the representatives of the people leads to irritation and to violent feeling, and if representatives of the people are made to feel helpless in their discussions and in their decisions, the government has to thank itself if the psychological irritation comes out into violence which has its repercussion outside.

After all, government has got the ultimate responsibility of behaving like gentlemen, so that others also will behave like gentlemen on the larger issues. Therefore the question is very simple. We want our opinions to be known to our sister Asiatic nations: we want it to be known that we are of them and we are with them and I want it to be known that whatever has been done by this irresponsible Government has been done against our knowledge and consent.

Therefore I submit that I support the motion of my deputy leader as a censure and I also support Sir Mohd. Yamin Khan when he said that this should be taken as a guidance for the future; and I would go a little further, that they should not only consider steps for sending out the proceedings of the debates of today, but they should also send out the proceedings of the debates on the Indonesian question of the first day, and the Government ought to offer apologies to the House for having delayed it. Sir, I support.

Lt.-Col. Dr. J. C. Chatterjee (Nominated Non-Official): Mr. President, if I intervene in this debate it is because I want to make my own position clear. The Mover of the Resolution started by saying, and repeated it several times, that the Government ought to let our representatives know the opinion of the elected members of this House. Two gallant knights followed him and they also said the same thing—namely, that it is for Government to inform other Governments or our representatives of the opinions of the elected members of this House. I feel that that is a most invidious distinction. Is it my fault that I happen to be a nominated member or is it the fault of my friend the Honourable Mr. Frank Anthony that he is a nominated member, or that of Sir Cowasji Jehangir who is a nominated member of this House? We have no other door of entry and therefore at all times and every time to throw this up to us that we are in a different category or that we are opposed to the sentiments of our friends and countrymen who sit on the other side, merely because we happen to have accepted nomination, is, in my opinion, most unfair. I am sure my friend over there and all my other friends who stand for equal rights for everybody (interruptions) do not wish and would not like to dub any portion of this House as Harijans. Attempts are made continually to throw up to us this fact. (Interruptions.) Let me proceed. I also wish to say this, that when I accepted the nomination to this House and on previous occasions when a nomination was offered to me, I must say to the credit of Government

Mr. M. Asaf Ali: On a point of order: are we discussing nominations? We are discussing quite another problem.

Mr. President: The point is not altogether irrelevant the motion speaks of elected members.

Lt.-Col. Dr. J. C. Chatterjee: I merely want to point this out that at no time was I or any other nominated Member required to give an assurance to Government that we shall vote on any question in any particular way or that we should vote against our consciences. So far as I am concerned, I say this, that I am prepared to vote with Government when I find that they are in the right and I shall vote with the opposition. . .

An Honourable Member: On a point of information. . . .

Mr. President: Let the Honourable Member proceed.

Lt.-Col. Dr. J. C. Chatterjee: I do not give way. I will vote with the Opposition on any question where my conscience dictates that they are right. Today, my friend has moved a motion with which I am in complete agreement and I am prepared to vote with him, and my reason briefly is this. . .

An Honourable Member: Protesting too much!

Lt.-Col. Dr. J. C. Chatterjee: There is no need to protest at all. The point is that this question now has been narrowed down by yourself, Sir, and very rightly narrowed down, to one single issue, namely, the failure of Government correctly or incorrectly to convey the wishes of this House. I say of this House, not only of the elected portion of this House. I have as much right to convey my opinion, as my friends opposite, to our representative who has been sent in the name of India and who has gone at the expense of our taxpayers to represent the opinions of India at this world conference. Now, Sir Ramaswami Mudaliar himself has again and again claimed there and in other places that though he may be a Member of the Government of India, he is as much a citizen of India and he claims always that he represents the true views of India on these questions. I have no quarrel with him: I have not the time nor material ready, to question his statement or to say whether he does or does not convey the wishes of India before these representative conferences. But what I wish to point out is this: how is he to voice the feeling of this country or of this House before this assembly if he is not kept informed of the wishes of this House? As you have said, Sir, that is the issue before the House today. My feeling is that just as the representatives of other

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nations are kept fully informed and instructed by their Government of what the people of that country think and of what the Government of that country thinks, it is right and proper that our representatives at this gathering should be continually kept informed of what their country desires. I do not think anybody, even the British Government, would claim or maintain that members representing the various Dominions and self-governing portions of this Commonwealth should take their cue entirely from the British Government. I do not think that claim has ever been made or will be made. On the other hand, it has always been said that they come from countries where there is public opinion, where there is self-government and that they are all the time voicing the opinions of their country. I hope that this will be the position of our representatives at any International gathering within a very short time. And as a preliminary and as a preparation to the measure of that stature, I ask that whoever is sent in the name of India to any representative Assembly should be kept completely and constantly in touch with public opinion in his country. Therefore, I join issue with my Honourable friend on that point, but I would like him to realise that we do not vote as nominated members but that we vote according to our conscience.

Mr. H. Weightman (Secretary, External Affairs Department): Sir, in the first place I was accused of trying to sabotage the motion right from the start by an objection on the point of admissibility. I considered it my business and my duty to bring to your notice that this motion might not be admissible without consent under the terms of the rules. You, Sir, decided that it was admissible and here we are this afternoon, and I take it amiss that this accusation is made against me. Secondly, I seem to have aroused a good deal of hard feeling by pointing to the fact—which is a fact, that when any Government sends a representative or a Delegation of representatives before an International Conference, that Government after full consideration of all facts brought to its knowledge and all information available to it and after consideration also of any views that had been expressed, provided it is considered that those views are well-founded, will instruct its delegate to communicate its own (that is, the Government's) considered view to that International body. And that, I think, is a position which some of the Members here may be very glad to maintain in a few months' time as I have tried to maintain it now.

Apart, however, from those considerations, I would suggest that the discussion this afternoon has been in an entirely wrong context. I am accused of not making our representative to the United Nations Organisation aware of a feeling of sympathy shared by everyone in this House towards the aspirations of the Indonesians. There is no question before the United Nations Organisation of the aspirations of Indonesia or of the possibility of its liberation and the formation of a national government. Nothing of the sort. What is before the Security Council at the moment is a suggestion by the Ukrainian delegate backed by the Russian delegate that the presence of British troops in Indonesia represents a menace to world peace. Now, Sir, had there been any question before the United Nations Organisation of the future form of Government in Indonesia it would have been a very different matter for the Government of India, as at present constituted, is not without sympathy towards such aspirations. I agree that it would have been perfectly proper, had there been such a discussion in progress to which our delegates at the United Nations Organisation could properly contribute, to communicate the sentiments of all concerned, of the whole of this House and of the whole of the country. But that is not the position. Instead we have this fantastic allegation—I cannot call it anything else—that the presence of British troops in Indonesia represents a world threat, a threat to world peace. What did Mr. Bevin say? He said:

"I have denied all along that there is a threat to peace as a consequence of the circumstances now in Indonesia. If there was that war that Mr. Vyshinsky has been talking about to us, would it be conceivable that leaders of the nationalist movement would be negotiating with us?"

Every Member of the House must be aware that the Dutch Government has made certain offers in the last two or three days to Dr. Shariar and his confreres. I see that from to-day's Press, that although there was no immediate comment by Dr. Shariar, the Indonesian Premier, other Indonesian leaders approve the spirit of the Dutch policy. There are, I think, other points in the news that one might mention.

"The Dutch, recognising the right of self-determination for the citizens of Indonesia, have put forward proposals which embody a clear and workable way towards democratic liberty."

Now, Sir, will the House bear in mind the facts of the position as they exist? Why did the troops go to Indonesia, and were they so very unwelcome to Dr. Shariar and those who are working with him? Honourable Members of this House read the news and they know that the troops were not unwelcome there. In such circumstances how could Government instruct its delegate to go before the Security Council, if he could in fact go before the Security Council, to support, as he would have had to support, this Ukrainian and Russian motion that the presence of troops in Indonesia, troops supplied by the British Empire, is likely to cause a world conflagration.

I do not see how Government could possibly have been justified in doing so and I do not think anybody in this House would really think, they were.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Is that so?

Mr. H. Weightman: If I may refer back just for a moment to the Adjournment Motion which was discussed here on 21st January on Indonesia, Mr. Jinnah remarked:

"I want to understand clearly whether it has ever been made clear to Dr. Soekarno or the Prime Minister of the Republic that the Dutch Government or the British Government are willing to negotiate and come to a settlement with them on the basis of their independence being recognised."

That is exactly what has now happened.

Now, Sir, I come to what is a more or less formal point in relation to Article 31 of the Charter of the United Nations. This reads—

"Any Member of the United Nations, who is not a Member of the Security Council."

—India is not a member of the Security Council—

—"may participate without vote in the discussion of any question brought before the Security Council, whenever the latter—that is the Council—considers the interest of that member are specially affected."

Not that they are specially interested, but that their interests are specially affected. In other words, we should have had to instruct our delegate to make some application to the Security Council for leave to say that the presence of British and Indian troops in Indonesia is particularly dangerous from the point of view of India, that we think that there is a very great danger, if they stay there, of an immediate conflagration that may spread to India. Is that a sensible course to take? Of course, not. That was why we did not instruct our delegates to make any mention or attempt to secure facility to make any mention, of the debate that was held in this House on 21st January.

I should like to repeat before concluding that the House must realise the circumstances in which this discussion is going on in the Security Council. It is not in the least a matter of expressing sympathy with the Indonesians or of saying, as the Government themselves would have been perfectly ready to say, that we should like to see a good and reasonable settlement which will pave the way for complete liberation of Indonesia. That was not the issue at all and we could not have instructed our delegate to speak in such terms in the present state of affairs. All we could have said was that the delegate should find an opportunity of saying to the Security Council that we support the Russian view, that we think there is real danger at this moment. We did not think so and that is why we did not instruct our delegates.

Mr. K. O. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, my Honourable friend has sought to draw a distinction between the issue that has been raised before the Security Council over the Indonesian question, and the

[Mr. K. C. Neogy.]

issue that was sought by us to be raised in the Adjournment Motion that was passed by this House on 21st January last. If my Honourable friend were to pause and analyse the underlying purport and object of our Adjournment Motion, as also the Ukrainian Motion before the Security Council, he would find that substantially the two issues are the same. Sir, the issue that is now before the Security Council is substantially for the withdrawal of British troops from Indonesia. Put it on whatever ground you like, it is the withdrawal of the British troops which term includes, Indian troops, that really matters. We on our part sought in the Adjournment Motion to reprimand the Government for their failure to refuse to co-operate with the British Government in their violent operations in Indonesia and Indo-China, even after the war with Japan was over. That substantially is a demand for the withdrawal of Indian troops from Indonesia, and therefore there is absolutely no distinction between the substance of the two issues. Now, Sir, there was a much more important issue which my Honourable friend has perhaps unconsciously raised in his speech, and that is of a constitutional character. My Honourable friend, in the first instance, wanted to be thanked for having upheld the interest of the future National Government in seeking to prevent a discussion of this character. Does my Honourable friend realise that such a situation could never possibly arise, if we had a National Government installed here, a National Government supported by a majority of the people's representatives. But then, my Honourable friend went further to assert the right of any Government, whether national or not, to determine after considering the various views that may be expressed in the legislature and by the public outside it, as to whether to instruct any delegation that may be speaking in the name of the nation on the lines on which public opinion may express itself. My Honourable friend laid great stress on the authority of the Government of the day to decide whether or not to accept the opinion expressed by the legislature on an occasion like this. If I have understood enough of the British constitution in its operation in India, it is this, that the Government must be responsible to some legislature, the Government in the Provinces or at the Centre must either be responsible to the Central legislature or Provincial legislature as the case may be, or in the alternative, the Government must be responsible to Parliament. That is the corner stone of the British constitution in its application to India at the present moment. Take the case of the now too familiar instances of the administration of provinces being conducted under section 93 of the Constitution Act. In such cases, the normal constitution being suspended, the Governor assumes all the administrative authority and responsibility, and he is, in his turn, responsible to the Governor General, the Governor General acting in his discretion. But it is clearly laid down that in so far as the Governor may be responsible to the Governor General, the Governor General in his turn is responsible to British Parliament. Take again, the case of a very well known instance in which the British Parliament and the Secretary of State, as an instrument of British Parliament, have waived their responsibility in the administration of the Central Government. I am thinking of the so called fiscal convention. It has been laid down that if the Government of India, as now constituted, acts in agreement with the legislature in any fiscal matter, the Secretary of State and necessarily the British Parliament will not interfere in any such case. Therefore, it is quite clear that in so far as the Government of India may be made independent of the control of the Secretary of State and of British Parliament, the Government of India must agree to be controlled by the central legislature, as a matter of convention. Take again the very recent instance of Bretton Woods agreement. It was made quite clear on behalf of the Government that although the Government felt it necessary to enter into that agreement, they would abide by the decision of this House. That declaration was really in consonance with the constitutional position. Time and again, India is getting represented on international bodies of various characters. The theory is, I do not know what the practice is, the theory is that the Government of India is free to choose their representative for India to participate in such international conferences. The second

theory is that the Government of India is free to instruct the delegation that may represent India on such international bodies.

It is the claim of Government that they do not get any instructions from the Secretary of State in regard to the selection of delegates, or in regard to the conduct of such delegates as may be selected by the Government of India for representing India on any one of these international bodies. I take it, Sir, that that is also the position of Government with reference to the United Nations Organisation and the Security Council. I take it that it will be claimed by Government that they had an absolutely free hand in the selection of India's delegation to the United Nations Organisation, and that the Government of India have a free hand in the matter of giving any instructions that they choose to the delegation that speaks in the name of India today. Now, Sir, what is the position of the Government of India, if that assumption is made? Is it claimed by the Government of India that in so far as they are concerned with all these international bodies, they are not responsible to Parliament, and they are at the same time not responsible to the Indian legislature? I should like to know from the Pundits on constitutional law sitting on those Benches whether this is the claim that they want to put forward. Sir, I have my proper share of respect for the Honourable Members who occupy those Benches, but is it to be claimed by them that the Government of India in this context, namely, when we are considering the question of India's representation on international bodies, is a corporation of twelve autocrats who are responsible only to themselves? That is the issue on which I want a direct answer. I again repeat,—do they maintain that they are responsible to Parliament through the Secretary of State in the selection of India's delegates to the international bodies and in giving instructions to the delegates in such matters, or do they maintain that they are absolutely independent of any control of any legislature, either in India or in England? Sir, I had occasion to read a debate that took place about a year ago in the other House regarding the selection of Indian delegates to the San Francisco Conference; and I will just quote one sentence from a speech delivered by an Honourable Member who is an Executive Councillor, obviously with the fullest authority of the Government of India. 'This is what he said:

“The Executive Councillors' decisions are supreme.”

He wanted to make out that there is no interference from outside. This is a position which is constitutionally untenable unless you accept the position of being responsible to the Indian legislature.

It is a constitutional issue of great importance, and I should like the Law Member, or any one else to deal with it on behalf of Government.

Sir Cowasjee Jehangir (Nominated Non-Official): Sir, I had not the slightest intention of taking part in this debate, but some interesting speeches have been made on the constitutional issue. I should have thought that you and most Members of the House were aware of the most illogical position in which this House works. We have been made aware of that for years past, but this debate has brought pointedly to our attention this most illogical position. Here is a Government trying to function in a House where the Opposition is in a large majority. I ask you, Sir, just to try and give me one instance in any part of the world where the Government functions on a democratic basis while the opposition is in the majority. But that happens to be the case in this House, and it is the old Act of 1919 under which we are working, and naturally these illogical positions arise. Now, what is the position that has arisen in this particular case? It is a well-known fact that Indians on the whole in this country—I do not wish to divide them into religious sections, but of all religious sections—are of opinion that Indian troops should no longer be used in that part of the world which we are discussing and that they should be withdrawn. They rightly or wrongly feel that these Indian soldiers are being employed to suppress—I will not say oppress—the rightful claims of the Indonesians for self-government. They may not be right, mind you, but that is the feeling in the country today; and that was the feeling voiced in this House from all sections of the

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opposition. It was brought before the House quite lately. Government are now blamed for not conveying that opinion or those sentiments held by the people of this country to their delegate who is now representing them on the United Nations Organisation. But Government are not of that opinion; they have explained their own position. That position is, putting it into very few words, that it was a pure accident that Indian troops had to go to Indonesia. It was a result of the war; they are there for particular purposes, one of them being to capture all the Japanese they could lay hands on. They are there to fulfil that purpose; they will be kept there till their object has been attained and then they will return to India. That is the Government case. Now in no parliament in the world can the opposition expect that the government will voice their views before an international organisation. If the Conservative Party just now in the House of Commons were to demand of the Labour Party that their views on a particular subject should be voiced by their Foreign Secretary Mr. Bevin before the United Nations Organisation, what sort of reply would they get? They will be told to mind their own business. But they are there in a minority, while you are here in a majority. But the constitutional position is that Government, although in a minority in this House, are the Government in this country today, and that has been the complaint of India for the last so many number of years. What is the use of talking of that complaint today? Let us hope and pray that that complaint will be no longer voiced in six months' time. That is the only hope and prayer that we can offer. It is no use asking Government to express our views when they are not bound to do so by law and under the constitution. Mr. Neogy talked of their responsibility to this House; they are no more responsible to this House than they are to the Russian Government.

Mr. K. C. Neogy To whom are they responsible? That is my query.

Sir Cowasjee Jehangir: They are responsible as a Government under the present constitution to the Secretary of State who is responsible to Parliament. That is the legal position and on more occasions than one have I pointed out to the Treasury Benches the real facts, namely, that my Honourable friends are the agents of the Secretary of State for India in India.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): You are supporting them or letting them down?

Sir Cowasjee Jehangir: I am speaking the truth. I am not accustomed to support people against my conscience like some other Members of this House.

Dr. G. V. Deshmukh: They are your own friends.

Mr. President: Order, order. I would like the Honourable Member to withdraw these words.

Sir Cowasjee Jehangir: Which words?

Mr. President: "Like other Members of this House."

Sir Cowasjee Jehangir: Sir, I withdraw these words . . .

Dr. G. V. Deshmukh: If he made this remark against me, it does not apply to me; he need not withdraw the words.

Mr. President: Order, order. The Honourable Member need not wear the cap.

Sir Cowasjee Jehangir: Now, Sir, that fact has been pointed out over and over again and for the last number of years all sections of public opinion in India and the British Government are trying and considering how this illogical position can be overcome. Instead of pointing to this illogical position which does exist, let us hope and pray that wisdom will dawn on us and that we shall stop for all times this illogical position, and we will see my Honourable friends all over the Opposition, including perhaps some nominated Members, taking their place on the Treasury Benches when such an illogical position will become impossible, as Mr. Neogy has described, and they will then have the majority in this House

behind them and then they will be in a position to instruct their delegates to express their opinion which must be the opinion held by the majority in this House.

Nawabzada Liaquat Ali Khan (Meerut Division: Muhammadan Rural): Mr. President, it is but natural that the peoples of India who are struggling for their own freedom should feel so deeply for the freedom of other subject nations. Sir, we believe that as long as the exploitation of Eastern nations is carried on by the west, there will neither be peace nor prosperity in the world. The two bloody wars which have been fought, more bloody than many people might think, during the last thirty years, have been due to this fact. It has been the greed of the Western nations which has been responsible for this terrible tragedy that has taken place in this world. The people of the West have been paying for their sins, but unfortunately the poor people of the East also have to pay heavily with them.

The Honourable Secretary has laid down certain propositions—I do not know whether he was really serious or whether he was trying to argue a very weak case. If he had been a lawyer, I would have said his arguments were like those of a third-class lawyer. He said that no Government in the world takes into consideration the decision of a legislature before they communicate their views to their delegates at any International conference. Sir, I do not know, but I think my Honourable friend has got the experience of only this Government. If he had said that this Government never takes into consideration the views of either the legislature or the peoples of this country, he would have been nearer the mark. If the Governments in other countries that are responsible to the people did not act in accordance with the wishes of the elected representatives of that particular country, they would be kicked out within five minutes. (Interruption) I think my Honourable friend, the Leader of the House, said something which I did not quite catch. If he would be good enough to say it loudly, I shall be prepared to sit down and give him an opportunity to do so.

Sir, the proposition is indeed a very simple one: It is the expression of dissatisfaction of this House over the attitude of the Government with regard to a certain motion of adjournment that was passed the other day in this House. We on this side of the House felt, and still feel, that it was the duty of the Government to have conveyed to their delegate at the United Nations Organisation what the peoples of India felt about the Indonesian question. The Honourable Secretary does not seem to think so. He said that the question of Indonesian freedom or independence is not before the United Nations Organisation. It may not be directly in so many words, but when that motion, to which my Honourable friend has referred, is being discussed by the Security Council, the effect of that motion is nothing else but the freedom of Indonesia, because I have no doubt that if the British withdraw their troops from Indonesia, the Indonesians would wipe out the Dutch in five minutes. Therefore, Mr. President, the two are very intimately inter-connected, and for him to say that the Security Council is not considering this matter and therefore it was not necessary for the Government of India to convey any instructions, is not right. He has not told us whether the Government of India have conveyed any instructions to their delegate at all in this connection. I want to ask them a very straight question, because I think that the Leader of the House is probably going to take part in this debate. From the copious notes that he has been taking down I am inclined to think that he is. Would he be good enough to tell the Honourable Members of this House if the Government of India have issued any instructions, any directions, any mandate, to their representative at the United Nations Organisation with regard to the Indonesian question? Have they no opinion on this subject? This is a very direct question and I hope the Honourable Member will be good enough to enlighten the Members of this House on that. Sir Cowasjee Jehangir pointed out what he described as the illogical position of the Government of India in relation to this House. It is true that the Government is not responsible to the House, but surely I ask him and the Government of India, is it too much to expect them to be at least responsive

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to this House? Can't they at least be responsive if under the law they are not responsible. Sir, to say that this Government is incapable of doing anything till the Act of 1919 and that of 1935 are changed is I think too much to swallow. If the Government of India had the will to follow what was the opinion of the peoples in this country, they could do so in spite of the limitations which there may be in the present Act. As a matter of fact there are no limitations. At least a responsible Government has got to carry out only that which a legislature may prescribe for it. Here this Government can do much more than what even a responsible Government can do with regard to the welfare of the peoples of a particular country. Sir, I am afraid that the speech of the Honourable the Secretary has not been a very convincing one. I still fail to see why the Government of India could not have conveyed to their delegate at this conference the feelings, the sentiments and the opinions of not only the Honourable Members in this House but of the peoples of India as a whole. My Honourable friend has said that this matter is not before the Council. Well, any matter may come up before the Council tomorrow. Have you got any opinion on this subject or have you not? Have you been able to form any opinion with regard to this Indonesian question or is your mind a complete blank as it is on most of the subjects? Sir, the motion which has been moved by my Honourable friend, the Deputy Leader of the Congress Party is one to which I do not think that any Member of this House could take the least objection. It is to censure the Government in the hope—not that our censure would make any difference to them because they are not only well clothed but they are too thick-skinned—but it is only in the hope that in the future you may in your own interest take into consideration the united will of the peoples of this country and not treat with contempt whatever is said by this side of the House. You have been shouting from the house-tops that India is to gain freedom within a very short time. Well, if you really feel that way, then you should become more responsive to public opinion. We know that you are irresponsible. But that is no reason for you to be irresponsible. Therefore, I would suggest to the Government of India if they are capable of receiving any sensible suggestion or good advice—I would advise them even now to convey to their delegate at the United Nations Organisation the united will of the peoples of India that whatever steps may be necessary in whatever manner our delegate can help at this United Nations Organisation he should assist and help Indonesians to achieve their freedom. I think, Sir, there are so many other ways also in which a representative of a Government can assist a particular cause, provided the Government of that country were really anxious to see that that cause was advanced. He may not be a member of the Security Council. Even if the question of Indonesia's freedom does not come up categorically before the Council in so many words, he can use his influence, his offices to advance the cause of the freedom of Indonesia. Therefore, Sir, I would request the Government of India to make up their minds once for all on this question. They must do whatever lies in their power to see that the millions of Indonesians are freed from the subjection, the exploitation and domination of the Dutch. We know that they might have a soft corner for their co-exploiters. But a time comes when exploitation of weaker nations instead of being a source of strength to any particular nation become a disaster to that nation. I feel, Mr. President, that today the time has arrived when all the western nations should realize that they should give up exploiting the weaker and eastern nations. If they do not, then nemesis would overtake them.

Shri Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): The question be now put.

Mr. President: The question is:

The Honourable Sir Edward Benthall (Leader of the House): I am sorry. I thought he was going to speak.

Shri Satya Narayan Sinha: The Leader of the House may speak.

The Honourable Sir Edward Benthall: I feel I must deal with a few of the points which have been raised by Honourable Members and I would first of all deal again with the accusation that Government tried to evade this debate. Well, Sir, adjournment motions are in the form of a censure of Government. If they were not, it would be easier for Government to accept the debate. But they are always in the form of a censure, the House almost invariably does its best to bring censure upon Government, and Government therefore must be excused for endeavouring to avoid occasions of this sort when having adjournment motions moved against them. But we have not burked opportunities to discuss important matters and have given days for such questions of importance as Bretton Woods and the activities of the Planning and Development Department.

The second point I would like to make is a point which struck me very forcibly. The first three speakers—the Deputy Leader of the Congress Party, the Deputy President and my Honourable friend Sir Hassan Suhrawardy—all got up and demanded that the views of the elected Members of this House should be sent to what they described as “our representative” in London.

Mr. M. Asaf Ali: I did not.

Shri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhammadan Rural): How do you describe him?

Mr. President: Order, order.

The Honourable Sir Edward Benthall: I regard that as heartening because hitherto in the past I have time and again sat here and listened to debates in which my Honourable friends opposite have repudiated Members of Government who have gone to international conferences. It is most encouraging to hear an Honourable colleague openly recognise a representative of this Government as that of this country. It is greatly appreciated as a tribute to my Honourable friend and I am sure that in reality this House does appreciate the magnificent work which he has done for this country, which is a credit both to India and if I may say so, also to this Government.

Mr. M. Asaf Ali: I never used the expression “our representative”.

The Honourable Sir Edward Benthall: Reverting to the subject matter of the debate, I would not like my friends opposite to feel that this Government does not pay attention to what is said in the course of debate whether on adjournment motions or otherwise.

We have taken a most careful note of every thing which has been said on the Indonesian debate and copies of the debate have been sent to London, to the India Office and I may add that even if the debate had gone the other way, if the motion had been in our favour, copies would yet have been sent and I also undertake that copies of this debate too will be sent to London. Whatever Honourable Members opposite may say, the responsibility for handling of foreign affairs rests always with the Executive. My Honourable friend, Sir Cowasjee Jehangir, has explained the special conditions under which this Government works, which may at times seem to be illogical. The fact, however, remains that the handling of these foreign affairs must be the job of the Executive Government.

Sir, my Honourable friend, the deputy leader of the Muslim League Party, asked me whether any instructions had been sent to our delegate on the U. N. O. to intervene in this matter. The previous speaker for Government has made it clear that our delegate there had no *locus standi* in this matter and I can give him a straight answer that no instructions have been sent for the reason which I will repeat, that on the Security Council, before which the matter comes, we in India have no *locus standi*. Under Article 81 any member of the United Nations, who is not a member of the Security Council may only participate in the discussion of any question brought before the Security Council whenever the latter considers the interest of the member are specially affected. The Council has not taken that view. It is difficult to claim that our interests

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are specially affected, however deeply we may feel on the matter. This is an international agreement to which we must adhere.

Then, Sir, in conclusion, my Honourable friend asked me

Mr. M. Asaf Ali: It is surprising that the interests of-Ukraine have been affected but not those of India!

The Honourable Sir Edward Benthall: I do not know what the technical position is but if they had not the power to bring it before the Council, they would not by the rules be permitted to do so. Ukraine happens I am told to be a member of the Security Council and therefore can bring the matter

Prof. N. G. Ranga: Not Ukraine, only Russia is a member. There are only 5 members on the Security Council. Ukraine has no seat. Your friend is completely ignorant.

The Honourable Sir Edward Benthall: I am informed that there are twelve members and that Ukraine is one. I feel quite certain that at its first meeting the Security Council would not have allowed the Ukraine to confront it with something with which it is not entitled to deal.

The correct answer is that there are eleven members on the Security Council, not 12.

Now, Sir, my Honourable friend the Deputy Leader of the Muslim League Party enquired whether we had taken note at all of the last debate on Indonesia or whether our minds were a complete blank in regard to any policy in respect of Indonesia. Sir, I think, if I may say so, the boot is on the other leg and that his mind has become a complete blank. For if he had listen to the end of my speech on that occasion, he would have heard my very clear statement on what the attitude of the Government of India towards the withdrawal of Indian troops from Indonesia was and also a very clear view that we felt at the present time that the best way of getting this matter settled was by negotiation. And I suggest still that as negotiations, from the reports I have seen, appear to have started very favourably, the best way of trying to get this matter of getting Indian troops out of Indonesia settled to every one's satisfaction is by negotiation.

Prof. N. G. Ranga: Sir, the question be now put.

Mr. President: The question is:

"That the question be now put."

The motion was adopted.

Mr. President: The motion now before the House will be: "That the Assembly do now adjourn" but before putting the question to the House, I just wanted to know whether the Honourable the Mover of the motion would not like to have a little amendment to what he originally submitted to the House, viz., to have the words "views of the Assembly" instead of "views of the elected members of the Assembly".

Mr. M. Asaf Ali: I agree to the amendment. As a matter of fact, I am sorry that I particularly emphasised the elected members right to be heard and in the light of what my friend Dr. Chatterjee has said, every word of which I endorse, I allow them also to have their say. They are with us in this.

Mr. T. Chapman-Mortimer (Nominated Non-Official): Sir, whose amendment is this? Am I deprived of expressing my opinion?

Mr. President: The motion before the House is only that the Assembly do now adjourn. I only wanted to have this explanation on record and therefore I put it to him.

The question is:

"That the Assembly do now adjourn."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 18th February, 1946.