

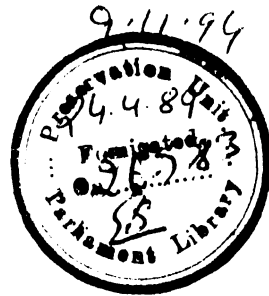
THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume V, 1946

(1st April to 15th April, 1946)

FIRST SESSION OF THE SIXTH LEGISLATIVE ASSEMBLY, 1946



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LEGISLATIVE ASSEMBLY

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Deputy President

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SRI SRI PRAKASA, M.L.A.

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

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LEGISLATIVE ASSEMBLY

Monday, 8th April, 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.

MEMBER SWORN:

Mr. Binay Ranjan Sen, C.I.E., I.C.S., M.L.A. (Secretary, Food Department).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS

MEASURES TO COMBAT FOOD FAMINE CRISIS.

†1615. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) if Government and any section of the Food Department have made it a special responsibility to keep in touch with and study the various grievances voiced and suggestions made in the Daily and Weekly Press regarding the food famine crisis, especially in regard to the stream of suggestions and advice being offered by Mahatma Gandhi, Amrit Kaur, Pyarelal and others in the columns of the *Harijan*;

(b) whether there is any inter-departmental Food Committee and Directorate to consider the various aspects of the food problem in this crisis from the Growing of More Food to the acquisition, the provisioning of rural areas and feeding both the rural and urban public, the transport of foodgrains (imports and movements of local production) rationing and other aspects of distribution, medicines, hospital accommodation and service, if so, with what powers; and

(c) whether Government propose to place their plans, etc., before the Standing Committee of the House for Food and whether it will be convened at frequent intervals in order to keep the public in touch with the food situation and ascertain through the Committee also the wishes, needs and grievances of the public?

Mr. B. R. Sen: (a) Yes, Sir.

(b) Yes. An inter-departmental committee called the Relief Co-ordination Committee has been set up to deal with the day to day problems arising out of the food shortage in the country and consider remedial measures to be adopted.

(c) Yes, Sir.

RESIGNATIONS IN IZATNAGAR VETERINARY INSTITUTE.

1616. *Shri Mohan Lal Saxena: (a) Will the Agriculture Secretary be pleased to state whether his attention has been drawn to a letter regarding Izatnagar Veterinary Institute on page four of the *Hindustan Times*, dated the 20th March, 1946? If so, are the facts stated therein correct?

(b) Is it a fact that Dr. Haddow, Dr. Polding and Dr. MacDonald have been forced to resign their jobs, that Dr. Shirlaw has applied for retirement and that Mr. Pandey has been forced to retire?

(c) Is it a fact that Mr. Naithani is not fully qualified and has been promoted in supersession of the claims of several other members of the staff?

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

Sir Pheroz Kharegat: (a) Yes, Sir, but the facts are not correctly stated therein.

(b) No, Sir.

Mr. Haddow has been permitted to take up a higher appointment under the Government of Bengal.

Dr. Polding was a contract Officer. On the termination of his contract he was offered another job but did not find the terms attractive enough and left.

Mr. Macdonald is also a Contract Officer who wanted certain concessions which Government could not accept upon which he gave six months notice of termination of appointment.

Mr. Shirlaw did apply for retirement on proportionate pension but he cannot be permitted to do so under the rules. He has been informed accordingly. He is now proceeding on Key Leave for four months.

Mr. Pandey has been removed from service as the result of a departmental enquiry.

(c) It is true that Mr. Naithani has not passed the Senior Cambridge examination but he was selected in 1928 for a post at the Institute in competition with several graduates by the then Director. The post to which he has now been appointed is a selection post. Only one person, viz. Mr. Prem Singh, the Head clerk at Izatnagar is Senior to Mr. Naithani. His claims were carefully considered by the Director before selecting Mr. Naithani.

Shri Mohan Lal Saksena: What were the reasons which Dr. Shirlaw gave for retirement?

Sir Pheroz Kharegat: No reasons were given; he simply asked to be allowed to retire on proportionate pension.

Shri Mohan Lal Saksena: Did the Honourable Member find out the reasons why he wanted to retire?

Sir Pheroz Kharegat: I do not think any useful purpose would be served by trying to find out the reasons. If the Honourable Member wishes to know the reasons, I can tell him.

RECOMMENDATIONS TO IMPROVE CATTLE WEALTH.

1617. ***Shri Mohan Lal Saksena:** Will the Agriculture Secretary be pleased to state what improvement has been made in the cattle population of India and their different products on the basis of the recommendations of (i) the Agricultural Commission Report, 1928, (ii) Dr. Norman C. Wright Report, 1938, and (iii) the recent report of Mr. Phipperall, the expert, called by Government from England?

Sir Pheroz Kharegat: It is not possible to assess the improvements effected but the action taken by Government on the report of the Royal Commission is mentioned in the Progress Reports thereon copies of which are in the Library of the House.

A statement is laid on the table of the House indicating briefly the action taken on the report of Dr. Wright and Mr. Penperall's report has been circulated to the Provinces for necessary action along with a press note.

Important Recommendations of Dr. Wright and the Action taken thereon.

No.	Recommendations.	Action Taken.
1	Increasing the number of approved and registered bulls and buying them from villages.	Thirteen village cattle improvement schemes are running in different parts of the country. It is proposed to establishing villages for producing improved bulls for further distribution.

Important Recommendations of Dr. Wright and the Action taken thereon.

No.	Recommendations.	Action Taken.
2	Employment of a special Officer to advise goshallas and pinjrapoles on management and constructive breeding.	An Officer was appointed in 1944.
3	Appointment of Geneticist and investigation of genetics and physiology of reproduction.	An Officer has been appointed at the Imperial Veterinary Research Institute and another is employed by the I.C.A.R. at the Cattle Farm, Hissar.
4	Extended use of stockmen to disseminate knowledge required at research centres.	Stockmen are now being employed by the provincial Governments in large numbers.
5	Unification of provincial Livestock Department.	This has been done already in Madras, Punjab, United Provinces, Central Provinces, N.W.F.P. and Orissa.
6	Introduction of mixed farming.	Mixed farming projects financed by Imperial Council of Agricultural Research are now running in United Provinces, Central Provinces, N.W.F.P., Bombay and Sind.
7	Discouragement of crossbreeding as a general policy.	Cross-breeding as a general policy is being discouraged.
8	Establishment of Herd Books and milk records.	Herd Books have been established for six breeds of all-India importance and a uniform system of milk records is in force.
9	Expansion of the Dairy Research Institute.	The Institute is being extended to a full-scale Central Research Institute and it is proposed to locate it at Delhi.
10	Appointment of Dairy Development Officers in each province.	Provinces are now appointing such Officers.
11	Establishment of Ghee grading stations.	In all 123 Ghee Grading Stations have been established so far.
12	Establishment of Rural Co-operative Milk Societies.	There are in India 264 such Societies.

Shri Mohan Lal Saksena: What steps have been taken according to Mr. Pepperall's Report for the improvement of milk supply in Delhi?

Sir Pheroze Kharegat: As regards the milk supply in Delhi, a scheme has been prepared for the collection of milk from surrounding villages and bringing it into Delhi, Pasteurising it and then arranging for its distribution. That scheme provides for about 150 maunds a day.

Prof. N. G. Ranga: Is it not a fact that this report recommends the co-operative marketing of milk and if so what steps are being taken to develop co-operative marketing of milk in Delhi?

Sir Pheroze Kharegat: The report recommends co-operative marketing and this proposal for Delhi is a co-operative proposal. Similar schemes have been prepared and are actually working at Lucknow, at Madras, near Calcutta and there are proposals for starting many more such co-operative societies in the post-war plans.

Sri M. Ananthasayanam Ayyangar: May I know what steps have been taken to improve the health of cattle, and as a result of these steps has there been any progressive improvement in the health of cattle and checking of cattle diseases?

Sir Pheroze Kharegat: It is very difficult to assess it but within the past few years a serum has been discovered against rinderpest, and as a result of the use of that serum the number of deaths from rinderpest has decreased very considerably.

Dr. Sir Zia Uddin Ahmad: With reference to part (1) of this question, may I know what improvement has there been in the population of cattle?

Sir Pheroze Kharegat: Improvement in the population? Does the Honourable Member refer to the number that has increased or the number that has decreased?

Dr. Sir Zia Uddin Ahmad: Has the number increased and in what proportion?

Sir Pheroze Kharegat: The census returns show that between 1935 and 1940 there was a very big decrease, and between 1940 and 1945 there has been a small decrease. In the latter period, the decrease is of about four per cent.

Shri Mohan Lal Saksena: May I know when this Delhi co-operative scheme is likely to come into force?

Sir Pheroze Kharegat: As soon as arrangements can be made for setting up a pasteurising plant in Delhi itself.

Seth Govind Das: Is the decrease between 1935 and 1940 due to the indiscriminate slaughter of cattle in this country?

Sir Pheroze Kharegat: It is very unlikely that between 1935 and 1940 there was any indiscriminate slaughter; but that was a period of famine in various parts of the country, and particularly in Rajputana and Hissar side, and that may account for a part of the decrease. But the decrease was fairly general throughout the country and that may have been due to the destruction of uneconomic animals.

Seth Govind Das: Was there more slaughter between 1935 and 1940 than in these five years?

Sir Pheroze Kharegat: We have no information of the actual figures of slaughter.

Prof. N. G. Ranga: What steps are being taken to encourage Ayurvedic veterinary hospitals and is this serum against rinderpest being placed at their disposal for distribution?

Sir Pheroze Kharegat: I think this serum is being used fairly generally now and steps are being taken to make it available to all veterinary assistants in the districts. As regards the other part of the question, I am afraid I have got no information at all.

Shri Mohan Lal Saksena: May I know whether the co-operative scheme in Delhi provides for subsidising the purchasing of new buffaloes and cattle by agriculturists?

Sir Pheroze Kharegat: Some of the schemes provide for subsidies being given by the co-operative societies to their members for the purchase of buffaloes.

YEARLY CENSUS OF CATTLE.

1618. ***Shri Mohan Lal Saksena:** Will the Agriculture Secretary be pleased to state:

(a) whether, in view of the fact that cattle census taken after every five years has not been found satisfactory and correct, Government propose to consider the desirability of arranging to take such census every year and employ a special staff for it, in accordance with the scheme which was proposed but given up on account of war; and

(b) whether Government also propose to take steps to have the births and deaths of cattle registered regularly?

Sir Pheroze Kharegat: (a) There is no reason to suppose that the results of the cattle census taken every five years are appreciably incorrect. It has not

been possible to trace the scheme for an annual cattle census said to have been given up on account of war. Government are advised, that the results of an annual census will not justify the large expenditure involved.

(b) It is considered that under existing conditions the regular registration of cattle births and deaths is not a feasible proposition on account of the practical difficulties of such enumeration and that the results will not be commensurate with the expenditure that will have to be incurred if any degree of accuracy is to be ensured.

Mr. Manu Subedar: May I know how Government record the census? Is it a census or only an estimate? What machinery gives the figures and in what manner? Is there any individual enumeration?

Sir Pheroze Kharegat: The enumeration is carried out by the local officers, that is the patwaris, with the help of such private individuals as are willing to help in the villages. As a patwari is a resident of the villages, it is presumed that he knows all the people who own the cattle and he can easily find out how many cattle are with each individual.

Mr. Manu Subedar: In that case, do I understand that it is an estimate given by the patwari of the number of cattle in his own village and that estimate is totalled up and it is called a census?

Sir Pheroze Kharegat: That is what a census is. The enumerators give the number of cattle in each of the villages. Those are added up for the province as a whole.

Mr. Manu Subedar: In view of the fact that the population census figures of various provinces and localities and particularly the figures for the Indian States are of doubtful validity and doubts have been thrown on it and that this question of ascertaining the cattle population of India accurately is of some importance, will Government now think of a more accurate method and work for it in advance as they work for the regular population census in order to ascertain the correct number?

Sir Pheroze Kharegat: The figures particularly in the States are unreliable and the question of finding out some better method of carrying out the census will be explored.

INCIDENCE OF EXPENSE ON GRAZING GROUNDS AND FODDER.

1619. ***Shri Mohan Lal Saksena:** Will the Agriculture Secretary be pleased to state what steps have so far been taken by Government to provide grazing grounds and fodder in sufficient quantity for the use of cattle in India, and what has been the incidence of Government expense per cattle in the last ten years as compared with other countries?

Sir Pheroze Kharegat: Owing to the pressure of population on the land, it is not possible for Government to provide large grazing areas. Out of some 48,238 sq. miles of forest land, 45,951 sq. miles are open to grazing all the year round. The question of improving grazing lands has been considered more than once by the Fodder and Grazing Committee of the Imperial Council of Agricultural Research and recommendations have been made to provinces. The Central Government propose to set up a grasslands Research Institute in the near future, if suitable land can be secured for the purpose.

The incidence of Government expenditure on cattle is difficult to work out, as it is sown partly under Veterinary and partly under Agriculture. A rough estimate shows that it is of the order of one anna per head per year in British India. Figures for other countries are not known.

Seth Govind Das: Will Government consider the question of controlling the fodder prices because in certain provinces these prices are not controlled and they are going up by leaps and bounds?

Sir Pheroze Kharegat: The matter is under Government's consideration at present.

Mr. Manu Subedar: Have Government ascertained the relative causes of the low quality of cattle in this country as compared with other countries? Apart from breeding, is it not due to malnutrition and if so what steps have Government considered to improve the nutrition of the cattle, with a view to improve their quality?

Sir Pheroze Kharegat: It is true that the cattle in India as a whole are very much poorer than in many other countries. That is due partly to climate and partly to inadequate feed. In a country where the human population is not having enough to eat, naturally the cattle also have not enough. The arrangements now being made for increasing food production will automatically result in increasing fodder production also.

Mr. Manu Subedar: The climatic condition has been there and yet Indian cattle have deteriorated. Is it not a fact that the owners of cattle having grown poor, people are not able to feed their cattle adequately and properly?

Sir Pheroze Kharegat: This is more or less what I said but it will be found that the cattle in the east of the country, that is on the Bengal side are very much poorer than those in the west, say, in the Punjab.

Shreejot Rohini Kumar Chaudhuri: Is it a fact that large areas of land kept in reserve for grazing purposes by the Government of Assam have been forcibly occupied by people from the neighbouring provinces and are still in their unauthorised occupation and that the Government has not been able to meet the situation for want of adequate police force?

Sir Pheroze Kharegat: Yes, Sir, there has been some encroachment on grazing lands in Assam by people coming from Bengal. It is understood that quite recently the Assam Government have taken action to try to remove some of these quarters.

Shri Sri Prakasa: Is it a fact that in the United Provinces, the landlords are bringing under cultivation large plots of *usar* (fallow) land which used to serve as grazing grounds for cattle before and if so, will Government take steps to prevent this?

Sir Pheroze Kharegat: Is not that a matter for the Provincial Government?

Seth Govind Das: Is not the British rule responsible for the malnutrition of human beings and cattle?

Mr. President: That question does not arise. Next question.

IMPROVEMENT OF CONDITIONS OF BETEL-NUT GROWERS.

1620. ***Prof. N. G. Ranga:** Will the Agriculture Secretary be pleased to state:

(a) when and how Government propose to set up a representative committee for betel-nut to improve the research and marketing facilities now available for the improvement of the conditions of betel-nut growers;

(b) whether Government propose to give adequate representation on that Committee to the All-India Betel-Nut Grower's Association and the Federation of Rural Peoples Organisations; and

(c) whether Government propose to invite the Provincial and States Governments interested to offer their contributions to the Rs. 3 lakhs fund created by the Finance Department and also to send their representatives to the Committee?

Sir Pheroze Kharegat: (a) The question is under consideration.

(b) Due consideration will be given to the various interests to be represented on the Committee if and when the proposals to set up a Committee materialise.

(c) In accordance with the principle generally followed in such cases the Provincial and State Governments concerned will be requested to make contributions towards the cost of individual schemes and to nominate representatives to the Committee when formed.

Prof. N. G. Ranga: It is not only in regard to individual schemes in which the concerned Governments and States are interested that I have put part (c) of this question. Will it not be possible for the Government of India to represent to them that they should also make a *pro rata* contribution to this three lakhs contribution that the Government of India is making in order to finance the activities of the proposed committee?

Sir Pheroze Kharegat: The Government of India are setting apart five lakhs of rupees and the system on which most of these committees work is that they give a grant to the province on condition that the province puts down an equal sum. In that way the total amount that becomes available will be of the order of ten lakhs of rupees.

As regards the States, however, the question of inducing them to levy a duty corresponding to the duty levied in British India is being taken up separately.

Shri Sri Prakasa: Have betel-nuts any nutritive value?

Sir Pheroze Kharegat: I suggest that this question may be addressed to the Health Department.

Shri Sri Prakasa: Has his Department made any analysis of it?

Mr. President: He has already said that the question may be addressed to the Health Department.

MUNICIPAL CANTONMENT BOARD WITH ELECTED MEMBERS.

1621. *Prof. N. G. Ranga: Will the Honourable the Leader of the House be pleased to state:

(a) if it is a fact that a town called Neemuch in the Central India States has been removed by an administrative order from the operations of the Cantonment Act of 1936;

(b) whether it is a fact that ever since the former Municipal Cantonment Board having an elected majority was automatically abolished a fully nominated Municipal Board has come to be formed in its place;

(c) the special reasons for thus abrogating the rights of the Neemuch public, and

(d) now that the war is over, whether Government will consider the advisability of reinstating the civil rights of the people?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) The Cantonments Act 1924 was withdrawn from the Neemuch Cantonment in 1936 as a result of troops no longer being stationed there.

(b) Yes, the Neemuch Cantonment Municipal Law, 1936, promulgated by the Crown Representative under the Indian (Foreign Jurisdiction) Order in Council provides for a nominated Municipal Committee. The present Committee consists of eight persons of whom four are non-officials.

(c) and (d). The Neemuch Cantonment Municipal Law is a temporary expedient for carrying on the administration of the area until the completion of the negotiations with the Gwalior Darbar for the retrocession of a portion of the Cantonment. These were interrupted on account of the war but will, it is expected, be resumed shortly. The Crown Representative considers that no useful purpose would be served by altering the existing municipal arrangements in the meantime.

Prof. N. G. Ranga: What are the difficulties, constitutional or otherwise in giving these people the same privileges which other areas are enjoying whether there are troops or not?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: As I have stated, it is contemplated that this Cantonment may be retrocessed to the Gwalior Darbar and it will become part of the Gwalior State. In that case there is no use of altering the system while these negotiations are in progress.

Prof. N. G. Ranga: Is it not a fact that negotiations for retrocession have been going on with regard to Bangalore, Secunderabad and other places? What is the constitutional position? Is not the Crown Representative obliged to take this House into consultation, or any other public body in this country into consultation before he gives away certain portions of British India to Indian States?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: They are not portions of British India.

Prof. N. G. Ranga: Is it not a fact that Secunderabad, Bangalore, and Neebuch belong to British India and not to Indian States?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: They are very much part of the Indian States.

Prof. N. G. Ranga: What about Bangalore and Secunderabad?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: Notice.

REPRESENTATIONS TO COMBINED FOOD BOARD AND DISTRIBUTION OF FOODGRAINS

1622. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) the results of the Government's representations to the Combined Food Board for supply of foodgrains to India;

(b) how much of the foodgrains asked for and allotted to India are in rice and wheat, and from what countries; and

(c) what arrangements (plans regarding supplies by road, rail, and shipping) are being made for the shipment and conveyance of the foodgrains to be obtained through the Combined Food Board to the places which are so badly in need of food in Southern and Western India?

Mr. B. R. Sen: (a) and (b). No firm allotment of foodgrains to India, showing sources of supply, has yet been made by the Combined Food Board. Indications, however, are that 1.4 million tons of wheat including wheat substitutes will be programmed for us in the first six months of 1946 and 145,000 tons of rice in the 2nd quarter of 1946.

(c) Shipping arrangements are at present under discussion with H. M. G. As regards internal arrangement in India the Food Department are making a plan of distribution, assuming the supplies indicated in the answer to the first part of the question, and are actively concerting measures with the War Transport Department and the Provincial Governments for the adequate handling, Storage and transport from ports to destinations of the supplies expected.

Prof. N. G. Ranga: Has the attention of the Honourable Member been drawn to the news which appeared two days ago that Argentina has agreed to place about 150,000 tons of wheat at the disposal of U.N.R.R.A., and much more to be placed a little later on? If so what do the Government of India propose to do to try to get a portion of whatever wheat Argentina places at the disposal of U.N.R.R.A. for the share of India?

Mr. B. R. Sen: The whole matter is under consideration.

Dr. Sir Zia Uddin Ahmad: When are the Government expecting supply of foodstuffs and at what price, will they be sold?

Mr. B. R. Sen: We should be getting in supplies from May and the prices are not yet indicated.

Prof. N. G. Ranga: What is the financial position in regard to this? Who pays for the supplies? Is it the Central Government? If so, do they take any part of the price from the Provincial Governments?

Mr. B. R. Sen: The supplies are paid for by the Provincial or State Governments concerned. The question whether any part of the cost should be borne by the Central Government is under consideration.

Sri M. Ananthasayanam Ayyangar: From what countries is this wheat to be imported into this country?

Mr. B. R. Sen: The sources have not yet been indicated to us.

Mr. Manu Subedar: Do I understand the Honourable Member to say that out of 150,000 tons of wheat going to U. N. R. R. A. from Argentina some portions may come to this country? I think the Honourable Member previously told us that we would never get anything from U. N. R. R. A.

Mr. B. R. Sen: The question whether there should be any direct negotiation with Argentina is under consideration.

Prof. N. G. Ranga: I am afraid my Honourable friend has misunderstood my question. What I mean is this. This U. N. R. R. A. is carrying on negotiations with Argentina. Argentina has already agreed to place as a first instalment 150,000 tons of wheat and much more in the near future. Are any steps being taken by the Government of India to contact U. N. R. R. A. and see that a portion of this additional wheat which is being placed at the disposal of U. N. R. R. A. is given to us?

Mr. B. R. Sen: I have already explained before that we are not making our approach to the Combined Food Board through U. N. R. R. A. We are making the approach direct. If we are to get any wheat from Argentina, we shall either have to apply to the Combined Food Board or negotiate direct as circumstances dictate.

Mr. President: Prof. Ranga's question is "did Government make any approach direct to U. N. R. R. A.?"

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

Prof. N. G. Ranga: What is the objection to approaching U. N. R. R. A. in view of the fact that Argentina is a Member of U. N. R. R. A. while she is not a member of the Combined Food Board?

Mr. B. R. Sen: The reason, as has been explained more than once, is if we get any share from the allotment given to U. N. R. R. A., our share from the Combined Food Board will be reduced correspondingly.

Prof. N. G. Ranga: May I ask the Honourable the Leader of the House to explain the position? He is the latest expert.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I do not get this question as an expert, latest or otherwise. I should like to explain that if U. N. R. R. A. approaches Argentina for any further surplus, it does so with the approval of the Combined Food Board. U. N. R. R. A. is not a competitor in that sense and to the extent that U. N. R. R. A. obtains it from Argentina, to that extent, the allocation by the Combined Food Board would be decreased and therefore there is no point in our applying to U. N. R. R. A., because all these are shown in one account. Though Argentina is only a Member of U. N. R. R. A. and not of the Combined Food Board, yet Argentina has her obligations to the Combined Food Board. Whatever Argentina gives to U. N. R. R. A. is a matter which will be taken into account by the Combined Food Board in its allocation to U. N. R. R. A. and other countries such as India which have applied for allocation. Therefore we do not stand to gain anything by asking U. N. R. R. A. when we are in a position to get a direct share either from Argentina or otherwise through the Combined Food Board.

Mr. Manu Subedar: Is it not a fact that we are not eligible to get this relief from U. N. R. R. A., apart from what my Honourable friend said?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: That is so. U. N. R. R. A. is only to look after the liberated enemy occupied territories and for those who are not in a position to pay for what they can get.

PLAN FOR MONOPOLY PROCUREMENT OF FOODGRAINS.

1623. ***Prof. N. G. Ranga:** Will the Food Secretary be pleased to state:

(a) if he has seen the latest press communique of the Madras Government regarding their plan for introducing Government monopoly procurement of foodgrains in all districts including surplus districts, as published in the *Hindu* of the 17th March, 1946;

(b) if this plan had been previously submitted to the Government of India and considered by them; and if so, when; and

(c) whether Government have noticed the absence in that plan of any provision for constituting Food Councils, or Advisory Bodies consisting of producers, consumers, etc., as was recommended by the Legislative Assembly in November 1944 and again in 1946 in its resolutions on food and accepted by the Government?

Mr. B. R. Sen: The attention of the Honourable Member is invited to the answer given to his question No. 1519, on the 3rd April, 1946.

Dr. Sir Zia Uddin Ahmad: What is the position in U. P. with regard to compulsory procurement of foodgrains?

Mr. B. R. Sen: I am not in a position to disclose the latest position. The matter is under discussion with the new Ministry.

Dr. Sir Zia Uddin Ahmad: Is it not a fact that a communique has already been issued and it is no more confidential.

Mr. B. R. Sen: No, Sir, not that I am aware of.

Sri M. Ananthasayanam Ayyangar: Are similar procurement measures adopted in the Punjab?

Mr. B. R. Sen: The Punjab Government are reviewing their procurement system and I have seen a Press report to the effect that the Punjab Government are still examining the details of a levy.

Diwan Chaman Lall: Will that be under the authority of the Government or under the authority of a private syndicate which is making profits?

Mr. B. R. Sen: It implies that the producers will hand over part of their produce direct to Government.

Diwan Chaman Lall: Is it the position, then, that the syndicate which is now operating will cease to exist?

Mr. B. R. Sen: I am not aware of any syndicate in the Punjab.

Diwan Chaman Lall: Is my Honourable friend aware that in the city of Lahore there is a syndicate of which unfortunately one of the Ministers of the previous Government was also a shareholder and purchases are made through it?

Mr. B. R. Sen: The syndicate that the Honourable Member is talking of must be the one for distribution of supplies for rationing purposes.

INSTITUTIONS FOR PROCUREMENT OF VILLAGE SURPLUSES IN FOODGRAINS

†1624. ***Prof. N. G. Ranga:** Will the Food Secretary be pleased to state.

(a) why the Government of India have failed to insist upon the constitution of the Food Advisory councils by the Madras Government which are intended to eliminate harassment of peasants, starvation of villages for the benefit of towns by taking away much more grain from villages than what they can afford and also corruption, middle-men's profiteering, etc.; and

(b) in view of the great stress laid by the Assembly on both the occasions referred to in part (c) of the preceding question upon the need for eliminating profiteering by middlemen, including rice-mill factory owners, why Government have allowed the Madras Government to appoint wholesale dealers as agents, instead of utilizing the co-operative agencies, Village Panchayats and other popular agencies, for the purchase of village surpluses of foodgrains; whether Government have noticed in the *Hindu* of the 15th March the report of the Mirasidars' complaining against the intention of these middlemen and their profits and also the need to allow them profits to make them "work with zeal"?

Mr. B. R. Sen: The attention of the Honourable Member is invited to the answer given to his question No. 1520, on the 3rd April, 1946.

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

REPRESENTATION OF KISANS ON FOOD ADVISORY COUNCIL

†1625. *Prof. N. G. Ranga: Will the Food Secretary be pleased to state:

(a) if there are any representatives of land holding peasants and landless peasants (both known as Kisans) as distinguished from the big landlords and Jagirdars on the Food Advisory Council; if so, how they compare in number to the other members, supposed to represent the agriculturists and who they are;

(b) if no representation is so far given to Kisans or no adequate representation is given, whether Government propose to consider the advisability of giving adequate representation to the real spokesmen of Kisans on this Council, especially to win the confidence and co-operation of actual food producers; and

(c) whether Government also propose to consider the advisability of holding joint meetings of the Standing Committee of the House for Food and Agricultural Departments and the Central Food Advisory Council at frequent intervals, say, once a month, until the present food famine crisis is over for the free exchange of experiences and ideas between the members of the Legislature and the Departments concerned and for devising, from time to time, emergent, practicable plans for tackling the food famine?

Mr. B. R. Sen: (a) There are a number of representatives of producers on the Central Food Advisory Council, though none of them belongs to the peasants or land-less peasants class.

(b) and (c). Government are already examining these suggestions.

CONSTITUTION OF DELHI MUNICIPALITY

1626. *Pundit Thakur Das Bhargava: Will the Health Secretary kindly state:

(a) if it is a fact that the Delhi Municipality has an official President;

(b) the total number of members in the Committee, and how many of them are nominated;

(c) the reasons why Government do not provide for the appointment of a non-official President;

(d) the reasons why it is necessary to have members (other than experts) who are nominated by Government;

(e) whether Government are aware of the public demand to have a non-official President of the premier Municipality of Delhi; and

(f) whether Government propose to see that the Delhi Municipality is in future presided over by a non-official President and that it consists of elected members only except for experts in Health and Engineering?

Mr. S. H. Y. Oulsnam: (a) Yes.

(b) There are 44 members in the Committee of whom seven are nominated.

(c), (e) and (f). Government are aware that a section of the public is not in favour of the continuance of the present arrangement. They will consider the suggestion.

(d) To provide representation for interests which cannot secure representation through election.

Seth Govind Das: Why has the Delhi Municipality still got an official President?

Mr. S. H. Y. Oulsnam: It has always had an official President.

Seth Govind Das: But many municipalities which had official Presidents in the past have non-official Presidents now. Why are not Government making a change in the Delhi Municipality?

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

Mr. S. H. Y. Oulsnam: I have already said that Government will consider the suggestion.

Shri Mohan Lal Saksena: Is it not a fact that this question has been pressed in this House for many years past?

Mr. S. H. Y. Oulsnam: I am not aware of it.

Shri Mohan Lal Saksena: Since when has the Honourable Member taken up this question for consideration?

Mr. S. H. Y. Oulsnam: Since the previous question put by the Honourable Member earlier in this Session.

Shri Mohan Lal Saksena: How far has that consideration gone and when can a decision be expected?

Mr. S. H. Y. Oulsnam: I cannot say when a decision will be arrived at.

Shri Mohan Lal Saksena: What are the considerations that the Honourable Member has to take into account before sanctioning a non-official President for this municipality?

Mr. S. H. Y. Oulsnam: All the relevant considerations.

Mr. Ahmed E. H. Jaffer: May I know why there is an official President for the Delhi Municipality? Is it because the Honourable Member thinks that an official is in a better position to carry on the proceedings of the House than a non-official President? It appears to me that that is rather

Mr. President: Order, order. The Honourable Member is not putting his question. Next question.

CONSTITUTION OF NEW DELHI MUNICIPALITY

1627. *Pundit Thakur Das Bhargava: Will the Health Secretary kindly state:

(a) if the Municipality of New Delhi has an official President and that all the members of the Committee are nominated by Government;

(b) why Government do not introduce the principle of election in the Municipality of New Delhi; and

(c) whether Government are aware of the public demand that, in view of New Delhi being the capital of India and the persons inhabiting New Delhi being highly civilised and politically-minded, New Delhi Municipality should have an elected non-official President and that all its members except experts should be elected?

Mr. S. H. Y. Oulsnam: (a) Yes.

(b) and (c). Government will consider the suggestions.

Diwan Chaman Lal: Will the Honourable Member take this matter a little more seriously and inform the House as to the actual steps that Government have taken so far in considering this matter?

Mr. S. H. Y. Oulsnam: Government have asked the Chief Commissioner to consider the matter and let them have his views on it.

Shri Sri Prakasa: Who are the official Chairmen—I do not want their names but their official designations—of the Delhi and New Delhi Municipalities.

Mr. S. H. Y. Oulsnam: The Chairman of the Delhi Municipality is the Deputy Commissioner and the Chairman of the New Delhi Municipality is the Chairman of the Delhi Improvement Trust.

Prof. N. G. Ranga: How are these gentlemen picked up for nomination in the New Delhi Municipal Committee?

Mr. S. H. Y. Oulsnam: Government consider them the most suitable persons.

Shri Sri Prakasa: Even if the Delhi Municipality continues to have an official Chairman, will the Honourable Member consider the desirability of not having the present Deputy Commissioner as Chairman of that body and nominate some one else?

Mr. S. H. Y. Oulsnam: Yes, Sir, I will take note of that suggestion.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware that there are large numbers of complaints against the Chairman of this New Delhi Municipal Committee? If so, will he see that a non-official Chairman is appointed immediately?

Mr. S. H. Y. Oulsnam: I am not aware of any complaints. If the Honourable Member will let me have particulars, I will look into them.

CONSTITUTION OF DELHI DISTRICT BOARD.

1628. *Pundit Thakur Das Bhargava: Will the Health Secretary kindly state:

(a) if it is a fact that the District Board of Delhi has an official President and an official Secretary;

(b) the total number of members, and how many out of the same are nominated; and

(c) the reasons why Government do not provide for non-official Presidentship of the District Board?

Mr. S. H. Y. Oulsnam: (a) Yes.

(b) There are 21 members in the Board of whom five are nominated.

(c) Government will consider the suggestions.

Shri Mohan Lal Saksena: May I know who the Chairman of this District Board is?

Mr. S. H. Y. Oulsnam: I am sorry I have not got that here; I will let the Honourable Member know later.

Shri Mohan Lal Saksena: Is not the Deputy Commissioner the Chairman of the District Board also?

Mr. S. H. Y. Oulsnam: I am not certain.

DUTIES AND POWERS OF PANCHAYATS IN DELHI PROVINCE.

1629. *Pundit Thakur Das Bhargava: (a) Will the Health Secretary kindly state if there are any Panchayats in the Delhi Province in the rural areas with civil and criminal powers?

(b) Is there any Panchayat Act in force in the Province? If so, what powers do their Panchayats possess, and what are their duties?

Mr. S. H. Y. Oulsnam: (a) No.

(b) The Punjab Village Panchayat Act, 1921, was extended to the Province of Delhi in May 1939 but no panchayats have so far been formed.

Prof. N. G. Ranga: Why have no panchayats been so far appointed?

Mr. S. H. Y. Oulsnam: I understand there has been no demand for them.

Shri Mohan Lal Saksena: If there is no demand, why was this Act extended to Delhi Province in 1939?

Mr. President: I think the demand has to be made after the Act is applied and not before?

Shri Mohan Lal Saksena: Was not this Act passed in 1921? If they extended it to Delhi after 18 years, will they take another twenty years to form panchayats here?

Mr. S. H. Y. Oulsnam: In view of the suggestions made by Honourable members I will certainly have the matter examined.

Shri Sri Prakasa: Does the Honourable Member always do a good thing after the demand is made?

(No reply was given.)

AUTUMN SESSION OF LEGISLATIVE ASSEMBLY AT SIMLA

1630. *Mr. Ahmed E. H. Jaffer: Will the Honourable the Leader of the House please state if Government propose to hold, in future, the Autumn Sessions of the Legislative Assembly at Simla, as was the practice before the War? If not, why not?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The decision to discontinue the holding of Sessions of the Central Legislature in Simla after 1939 was taken before the war and for reasons in no way connected with the war. The decision with the reasons for the same was announced in a Press Communique, dated the 25th May, 1939, a copy of which is laid on the table. It is not the intention of the present Government to re-open the question.

Press Communique.

The Government of India have lately had under consideration the matter of the move of the offices of Government to Simla. In considering the question they have been influenced by the serious overcrowding in Simla and by the prospect of this problem being made more acute when the new and much larger Federal Legislature comes into being. As long as a Summer Session of the Legislature is held in Simla, there appears to be no possible solution of the problem which is consistent with efficiency and despatch of Government business. The first decision, therefore at which the Government of India have arrived is that in future the second annual Session of the Legislature should be held in Delhi in the autumn between the middle of September and the first part of November, the actual date being dependent on the amount of business to be transacted. The stay of the Government of India in Simla having been thus reduced from 6 to 4 or 4½ months, it is considered no longer to be necessary that the full strength of the Departments of Government should be in Simla and it has been decided to introduce the following system:

(1) all officers of the Secretariat will still be required to move to Simla with the exception of those who remain in Delhi in order to supervise the working of the offices;

(2) the strength of the ministerial staff moving to Simla will be reduced to about 20 per cent. of the total;

(3) the heads of certain attached offices of the Government of India and probably certain other officers of attached offices will continue to be required to move with the Government of India, but they will normally be accompanied to Simla only by a camp office;

(4) officers not required to move with Government will be permitted a period of recess in Simla under rules which will be published later.

These arrangements will not apply to Army Headquarters. A rough estimate of the effect of these decisions is that about 50 officers, 1,200 clerks and 500 inferior servants, who at present move to Simla, will remain in Delhi.

Certain capital expenditure will be necessary in order to make the Council House, the Secretariat and residential buildings in Delhi more suitable for use in the hot weather. The total of such expenditure is not likely substantially to exceed Rs. 11 lakhs. Government also propose to resume the interrupted programme for the construction of residences in New Delhi for officers and clerks. The recurring annual saving, which it is estimated that the new arrangements will produce, amounts to between 6 and 7 lakhs.

HOME DEPARTMENT

Simla, the 25th May, 1939.

(For publication in the morning papers of Thursday, the 25th May, 1939.).

Mr. Ahmed E. H. Jaffer: Does it mean that the future Government alone can reopen this question?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I cannot say anything about the future Government. I can only say that it is not the intention of the present Government to reopen the question.

Mr. Ahmed E. H. Jaffer: When is it proposed to hold the next Session of this House?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I have no information. Government have not come to a decision and this is a matter for the Viceroy.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member aware of the rumour prevalent in this House that a Session will be summoned in July? If so, will it not be inadvisable to hold it in Delhi and it should be held in Simla?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I do not take any notice of rumours that circulate in the lobbies of this House.

COMMERCIAL ENGINEERING OR MEDICAL COLLEGE IN DELHI PROVINCE

1631. *Pundit Thakur Das Bhargava: Will the Education Secretary kindly state:

(a) if there is any Commercial Engineering or Medical College in the Delhi Province; and

(b) the steps which Government have taken to secure facilities for education in Commerce, Engineering or Medicine for students of the Delhi Province in other Provinces, and how far such facilities were availed of during the last four years?

Sir John Sargent: The answers to the two parts of the Honourable members' question are respectively:

(a) There is one Commercial College, affiliated to the Delhi University in the Province. There is no Engineering College but there is one Medical College for Women only in the Province.

(b) The question does not arise as far as Commercial Education is concerned.

In regard to education in Engineering the Central Government secured facilities for the admission of students of the Delhi Province into the following institutions.

Thomason College of Civil Engineering, Roorkee (United Provinces) and the Government School of Engineering Rasul, Punjab, reserve one and three seats per session respectively for students of Delhi Province. The Punjab College of Engineering and Technology, Lahore, also reserves one seat per session since 1945-46. These facilities were availed of in the Thomason College of Civil Engineering, Roorkee, in full during the years 1943-44 but during the years 1942 and 1945 none of the candidates selected from the Province qualified at the Entrance examination. Facilities were availed of in the Government School of Engineering, Rasul, Panjab, by nine students during the last four years and by one student at the Punjab College of Engineering and Technology, Lahore, during 1945-46.

As regards Medical Education, The King Edward Medical College, Lahore, and the Glancy Medical College, Amritsar, reserve three seats and one seat per session respectively, for students from Delhi Province. All these facilities have been availed of in full during the last four years.

Dr. Sir Zia Udin Ahmad: Is the Honourable Member aware that the Aligarh University admits about 15 students every year—both Hindus and Muslims—in the Engineering College there, from Delhi Province?

Sir John Sargent: Yes, I am aware that a number of Delhi students do succeed in getting admission into the Aligarh University.

MONTHLY GRANT TO INDIAN FEDERATION OF LABOUR

1632. *Shri Satya Narayan Sinha: (a) Has the attention of the Honourable the Labour Member been drawn to the report published in the Sunday Morning Edition of the *National Call*, dated the 24th March regarding the data available in connection with the monthly grant of Rs. 13,000 for labour propaganda to the Indian Federation of Labour?

(b) Is it a fact that, when the pay of the propagandists had decreased, the cost of dissemination of news has proportionately increased?

(c) Is it a fact that the keeping of the accounts was severely criticised by the Auditor-General who has not satisfied with the accounting system?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) The statement of accounts of the Indian Federation of Labour which I placed before the House on 19th March, 1946, shows that variations in the

expenditure, resulting in decreases under the heading relating to the 'pay of propagandists' and corresponding increases under the heading relating to "dissemination of news" occurred in the months of May, June and July 1945. These variations were merely due to changes in the classification of headings of expenditure, introduced in April 1945, consequent on the transfer of control over the operations of the Labour propaganda scheme from the Information and Broadcasting Department to the Labour Department, whereby the expenditure on allowances to propagandists in charge of labour centres, workers clubs and other agencies of news dissemination, which was hitherto shown under the heading 'pay of establishment' was shown, from May 1945 onwards, under the heading 'honoraria for news dissemination'. The overall expenditure under the heading relating to 'pay of propagandists' and 'dissemination of news' during these months, however, remained almost the same as in the preceding months.

(c) The attention of the Honourable Member is invited to my answer to first part of (b) and (d) of question No. 31, asked by Mr. Lalchand Navalrai, on 2nd November, 1945, and also to para. 68 of the Report of the Public Accounts Committee on the accounts of 1943-44.

Shri Satya Narayan Sinha: What has happened after that? Will the Honourable Member be pleased to place all these accounts before the Public Accounts Committee? It is a waste of public money, I believe.

The Honourable Dr. B. R. Ambedkar: It was considered by the Public Accounts Committee, and, as I have said in my reply, Honourable Member's attention is invited to para. 68 of the Report of the Public Accounts Committee on the accounts of 1943-44.

Diwan Chaman Lall: May I ask my Honourable friend as to what the position is after 1945 and whether this grant has now been discontinued?

The Honourable Dr. B. R. Ambedkar: It has been discontinued.

Diwan Chaman Lall: What was the position between 1945 and its discontinuance?

The Honourable Dr. B. R. Ambedkar: I have not got the information, but if my Honourable friend will put down a question I shall answer it.

Diwan Chaman Lall: Is it a fact that the accounts were vetted at the time when this grant was discontinued?

The Honourable Dr. B. R. Ambedkar: I must have notice of that.

Diwan Chaman Lall: My Honourable friend does not know whether they were vetted after that?

The Honourable Dr. B. R. Ambedkar: I could not tell you.

Shri Satya Narayan Sinha: Will the Honourable Member look into the whole matter?

The Honourable Dr. B. R. Ambedkar: I have. What more can I do?

Mr. Manu Subedar: What is the present amount of the expenditure on labour propaganda through Indian Federation of Labour?

The Honourable Dr. B. R. Ambedkar: As I have said, the grant has been discontinued.

Shri Mohan Lal Saksena: May I know when was it discontinued?

The Honourable Dr. B. R. Ambedkar: Last year, if I mistake not.

Miss Maniben Kara: Is it not true that the accounts were submitted by the Indian Federation of Labour according to the procedure laid down by the Department of Information and Broadcasting at the time that the grant was made?

The Honourable Dr. B. R. Ambedkar: I believe so.

Prof. N. G. Ranga: Is it not a fact that the Indian Federation of Labour did not lay down their procedure for a long time even after the grant was made, and the Auditor General took very strong objection to the procedure followed by the Department itself?

The Honourable Dr. B. R. Ambedkar: As I said in the course of my reply, this grant was really administered by the Information and Broadcasting Department. It was at a later stage that the administration was transferred to the Labour Department.

Diwan Chaman Lall: Why?

Miss Maniben Kara: Is it not true that prior to May 1944, the Federation was asked to dispense with submitting of the vouchers and they were asked merely to submit the accounts and also whether the Indian Federation of Labour did not do so according to the instructions of that Department?

The Honourable Dr. B. R. Ambedkar: I am unable to say. The matter was administered by another Department.

Miss Maniben Kara: Is it not a fact that the grant has now been stopped as a result of the termination of the war?

The Honourable Dr. B. R. Ambedkar: Yes, I said so.

Prof. N. G. Ranga: How many of those people who were formerly engaged as propagandists for 'dissemination of news' under this grant have come to be absorbed by the Information and Broadcasting Department?

The Honourable Dr. B. R. Ambedkar: The question ought to be put to the Honourable Member for Information and Broadcasting Department.

Shri Mohan Lal Saksena: May I know whether the grant terminated before the termination of the war or afterwards?

The Honourable Dr. B. R. Ambedkar: I cannot say exactly.

Shri Mohan Lal Saksena: Was it not terminated last year—in April 1945?

The Honourable Dr. B. R. Ambedkar: Yes.

Diwan Chaman Lall: May I ask my Honourable friend whether the final accounts have been placed before the Public Accounts Committee?

The Honourable Dr. B. R. Ambedkar: They will be placed before the Public Accounts Committee in due course I am sure.

Mr. Ahmed E. H. Jaffer: Is it not a fact that this amount of Rs. 80,000 was misused? It was not used for the purpose for which this Government had allotted this money; and that it was used for the Honourable Member's party propaganda.

The Honourable Dr. B. R. Ambedkar: I must take strong objection to the statement made by my Honourable friend that this money was spent on party propaganda. You must withdraw that.

Mr. President: Order, order.

Prof. N. G. Ranga: He did not say that.

The Honourable Dr. B. R. Ambedkar: Yes, he did.

Mr. Ahmed E. H. Jaffer: Let the Honourable Member deny it on the floor of the House and not lose his temper.

Mr. President: Order, order. Will the Honourable Member resume his seat? The Honourable Member is not in order in saying that the Honourable Member for Labour was in temper.

Mr. Ahmed E. H. Jaffer: May I ask, is the Honourable Member entitled to lose his temper which he usually does in the House?

Dr. Sir Zia Uddin Ahmad: The Honourable Member said that he strongly protests against such questions. Are these parliamentary words?

The Honourable Dr. B. R. Ambedkar: I said I strongly protest against the suggestion made by my Honourable friend that this money was used for the party to which I belong. I do not belong to the Indian Labour Federation.

Mr. President: I have not been able to understand the objection of Dr. Sir Zia Uddin.

Dr. Sir Zia Uddin Ahmad: Can the Honourable Member say: 'I strongly protest against any particular question'?

Diwan Chaman Lall: May I ask whether it is a fact that this money was utilized for the propaganda of the Indian Federation of Labour?

The Honourable Dr. B. R. Ambedkar: I cannot say. So far as Government information goes, it was used for the purposes for which it was granted.

Diwan Chaman Lall: May I ask my Honourable friend whether it is a fact that honest and decent organisations like the All-India Trade Union Congress refused to touch a single penny of such money?

The Honourable Dr. B. R. Ambedkar: My Honourable friend is entitled to have his own opinion with regard to certain organisations.

Diwan Chaman Lall: Is it a fact that my Honourable friend approached the All-India Trade Union Congress in this respect and that the All-India Trade Union Congress refused to touch this money?

The Honourable Dr. B. R. Ambedkar: We approached all organisations. It was a general circular addressed to all organisations that if they care to come and have a scheme for maintaining the morale of labour, the Government of India was prepared to help in this respect. The Government of India did not invite any particular organisation to join this scheme.

Diwan Chaman Lall: Is it a fact that the only organisation that did come to my Honourable friend and make use of this money was the Indian Federation of Labour?

The Honourable Dr. B. R. Ambedkar: Yes.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member now satisfied at any rate by the discussion that has taken place as a result of so many supplementary questions, that this money has not been properly used and that there is a suspicion. In view of this, will the Honourable Member appoint a non-official auditor to look into the accounts of this amount?

The Honourable Dr. B. R. Ambedkar: I do not think it is necessary to do so. The matter will come before the Public Accounts Committee which is the committee appointed by this House.

Diwan Chaman Lall: May I ask why has the Honourable Member delayed placing this matter before the Public Accounts Committee

The Honourable Dr. B. R. Ambedkar: It has not been delayed.

Diwan Chaman Lall: considering that this expenditure ceased last year?

The Honourable Dr. B. R. Ambedkar: It has not been delayed. It has been put before the Public Accounts Committee.

Diwan Chaman Lall: Why has it not been put before it so far?

Mr. President: Next question.

PROPOSAL TO APPOINT EUROPEANS IN I. M. S.

1633. *Prof. N. G. Ranga: (a) Will the Health Secretary be pleased to state whether it is a fact that there are eighteen posts yet to be filled in the Indian Medical Service?

(b) Is it proposed to fill them with Europeans?

(c) Are Government aware that the former Director General of Medical Services (Maj. Gen. Hance) has recently written to the present Director General Indian Medical Service that these posts should be filled by Europeans before the advent of the National Government and has also mentioned that Surgeon General of Bengal is also worried about the prospects in case these posts are not filled by Europeans?

(d) Is this correspondence private or official?

(e) Do Government propose to give an assurance that these posts will not be filled by Europeans until the new Government comes in and examines the whole question?

Mr. S. H. Y. Oulnam: (a) There are four vacant posts in the Bengal I.M.S. cadre which are to be filled by European I.M.S. Officers.

(c) No.

(d) Does not arise.

(b) and (e). Appointments to these posts are not made by the Government of India but by the Provincial Government in accordance with rules made by the Secretary of State.

FOREIGN EXPERTS IN FOOD DEPARTMENT

1634. *Mr. G. B. Dani: Will the Food Secretary be pleased to state:

(a) the number of foreign experts employed in the Food Department of the Government of India;

(b) the designation, pay, allowances, other privileges, if any, list of duties, academic qualifications, experience, dignity of previous appointments, list of duties of such previous appointments and pay of each post held either in India or abroad, in respect of each foreign expert; and

(c) the period limit by which these expert will be replaced by Indians?

Mr. B. R. Sen: (a) There is only one foreign expert Mr. W. H. Kirby, Rationing Adviser at present employed in the Food Department.

(b) and (c). Full information about this officer was given in reply to starred question No. 1895, of Pandit Mukut Bihari Lall Bhargava, on 29th March, 1946.

Prof. N. G. Ranga: May I know whether you call him an expert or not? Is it not a fact that there are a large number of foreigners who are employed in the Food Department?

Mr. B. R. Sen: The question does not arise.

Mr. G. B. Dani: May I know if the Honourable Member has trained any Indian for this job?

Mr. B. R. Sen: We have been looking for an Indian to take his place in due course, but the difficulty, as I have already explained to the House, is that all the best officers of Government trained in ration are now required by the Provincial Governments themselves. That is why we have not been able to get an Indian to take his place but the term of this officer will come to an end some time next year and the whole position will be reviewed then.

Shri Sri Prakasa: Did the Honourable Member employ any food taster?

Mr. B. R. Sen: When the occasion comes, I shall require the services of the Honourable Member.

JUNIOR READERS IN GOVERNMENT PRESSES.

†1635. *Hajee Chowdhury Mohammad Ismail Khan: (a) Will the Honourable the Labour Member be pleased to state the basis on which officiating Junior Readers are confirmed in the permanent posts of Junior Readers, in all the Government of India Presses?

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

(b) Is it a fact that the nature of the duties and the cadre of Copyholders are quite different from those of Junior Readers?

(c) Is it a fact that some officiating Junior Readers who entered the Junior Reader's grade earlier, have been declared junior in the Junior Reader's grade, to some of the Copyholders who failed to qualify in the Readership Examination in which they appeared along with the former, in any Government of India Press?

(d) Is it a fact that the order by which the qualified Copyholders are once allowed to work in the Junior Reader's posts can be altered if they continue to maintain their efficiency to the utmost satisfaction?

(e) Do Government propose to consider the desirability of giving preference in the permanent posts of Junior Readers, to those qualified Copyholders who have more length of total service as officiating Junior Readers at their credit?

The Honourable Dr. B. R. Ambedkar: (a) Confirmation is made according to seniority in the rank of copyholders except in the case of men who have qualified in the reader's examination in the third chance for whom certain reservations have been made.

(b) Yes.

(c) Yes.

(d) Yes, unless the junior copyholder is confirmed earlier.

(e) No. The present rules have been framed after full consideration.

PAY OF JUNIOR READERS IN GOVERNMENT PRESS, NEW DELHI

†1636. ***Hajee Chowdhury Mohammad Ismail Khan:** (a) Will the Honourable the Labour Member be pleased to state whether the scale of pay of the New Scale Junior Readers is Rs. 55—3—85 and that of Copyholders Rs. 45—5—60—EB—5—80 (in the 'C' grade of the Unified Scale), in the Government of India Press, New Delhi?

(b) Is it also a fact that anomalies still exist between the pay of Junior Readers and that of Copyholders because a permanent Junior Reader with four or five year's service as such at his credit is getting Rs. 64 per month only, whereas a temporary Copyholder, officiating as a Junior Reader would be getting Rs. 67 per month?

(c) Is it a fact that the Manager of the said Press had recommended 'B' grade, after a very careful consideration, to Junior Readers, which being the only alternative of removing the existing anomalies?

(d) Does the Honourable Member propose to sanction 'B' grade of the unified scale for Junior Readers at an early date for the purpose of removing these anomalies? If not, why not?

The Honourable Dr. B. R. Ambedkar: (a) Yes.

(b) A permanent junior reader on revised scale of pay is entitled to Rs. 64 p.m. after four years' service and to Rs. 67 p.m. after five years' service. In certain cases a temporary Copyholder in the unified scale, if appointed as reader, is entitled to Rs. 67 p.m.

(c) Yes.

(d) The unified scale is a temporary scale and was intended for the clerical staff of the Government of India. It was made specially applicable to the Copyholders and Junior Revisers of the Government of India Presses. The application of the 'B' Grade of the unified scale would create more anomalies and complications as there are several grades of readers on different rates of pay in the various Government of India Presses.

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

CONSERVATION OF CEREALS.

1637. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Food Secretary lay on the table of the House a statement of quotas of wheat, rice, maize and other foodgrains allotted to factories manufacturing starch, biscuits, flakes and other allied products in the country both for industrial and non-industrial purposes during the years 1944, 1945, and 1946?

(b) In view of the acute food situation in the country, will Government consider the advisability of putting restrictions on further allotment of such quotas, so as to reduce the same to the absolute minimum, thereby conserving the maximum quantity of the grains for the purposes of food?

Mr. B. R. Sen: (a) No quotas of rice have been allotted by the Food Department to any factories during the years 1944, 1945, 1946.

As regards maize, the following quotas were allotted to Starch Factories

1944—39,851 tons.

1945—46,976 tons.

1946—A quota was allotted which has been subsequently cancelled completely.

No quota of wheat was allotted to any factories in 1944 and 1945. A small quota of 1,000 tons was, however, allotted at the end of 1945 for 1946 to certain biscuit factories which were previously in production for the manufacture of biscuits for the Defence Services, whose demand has now been withdrawn. In fact, however, only 300 to 400 tons of this quota has been delivered to the factories.

(b) The Food Department have already reduced the quotas to the absolute minimum, as shown by the cancellation of the entire maize quota for the starch factories.

Prof. N. G. Ranga: In view of the fact that it has been proved to be possible to manufacture starch out of tamarind seeds, why is it that the Government of India still continue to allot maize and other foodgrains for this purpose of manufacturing starch instead of depending on tamarind seeds?

Mr. B. R. Sen: This year the entire allotment has been cancelled and the foodgrain is being allotted to starch factories by the Government of India.

Mr. Manu Subedar: Are Government aware that starch factories in Indian States are still operating on foodgrains?

Mr. B. R. Sen: We have received information to that effect and we are taking all possible steps to control the use of foodgrains in those starch factories.

Mr. Manu Subedar: Is the foodgrains referred to includes every other kind of grain which could be used for human food?

Mr. B. R. Sen: Up till now the only foodgrain allowed to starch factories is maize.

SCALE OF PAY AND SUPPLY OF RATION TO POLICE CONSTABLES IN
AJMER-MERWARA

1638. *Pandit Mukut Bihari Lal Bhargava: (a) Will the Food Secretary please state the scale of pay of a police constable and a Head constable in Ajmer-Merwara and the dearness allowance he is getting?

(b) Is it a fact that ration supply of the Police constables and Head Constables at Ajmer for the month of February, 1946, lasted up to the 25th February, 1946, only?

(c) Is it a fact that the Police Constables and Head Constables in Ajmer had to go without ration up to the 4th March, 1946?

(d) Is it a fact that some of the constables in the parade fell down as they had been hungry for a number of days before the incident took place? If so, who was responsible for the non-supply of ration to these persons in time, and

what steps do Government propose to take to ensure regular supply of ration to these persons in future?

Mr. B. B. Sen: The question should have been addressed to the Honourable the Home Member. It has accordingly been transferred to the list of questions for the 15th April, 1946, when it will be answered by the Honourable the Home Member.

REPRESENTATION OF SIKHS IN AGRICULTURAL RESEARCH INSTITUTE, DELHI

†1639. ***Sardar Mangal Singh:** (a) Will the Agriculture Secretary please state the number of each of the temporary and permanent appointments made by the Director of Agricultural Research Institute, Delhi, since January, 1944, in each of the following cadres, and how many of them are Hindus, Muhammadans, Sikhs and others: (i) Class I, (ii) Gazetted Class II, (iii) Agricultural Assistants, (iv) Office Assistants, and (v) Clerks?

(b) When was the last Sikh appointed in each of these services?

(c) Is he aware that there is no temporary or permanent Class I Sikh Officer in the Institute at present employed?

(d) Is he aware that there is no Sikh permanently employed in the services mentioned in (iii) to (v) of (a) above?

(e) How many times were special reservations made for the appointment of a Mohammadan in the Institute and on how many occasions were Muhammadans actually appointed in Class I and Class II?

(f) Does he propose to see that a fair number of Sikhs are appointed in each category mentioned in (a) above and are placed on permanent basis also? If not, why not?

Sir Pheroz Kharegat: (a) and (b). Appointments of Class I and Class II Officers are not made by the Director but by Government. A Statement is laid on the table showing the numbers appointed by Government in the first two categories and by the Director in the other three.

(c) No, Sir. A Class I Sikh Officer holds a lien on a permanent Class I post but is now working in a higher post in the Department of Agriculture.

(d) No, Sir. Three Sikhs are permanently employed under category (iii) one under category (iv) and one under category (v).

(e) In one case.

(f) The statement laid on the table shows the total number of persons employed in each category and the percentage of Sikhs therein. It is not practicable to ensure that every community has any definite proportion of the posts in each category.

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

Statement showing representation of Sikhs in the I. A. R. I.

(a) No. of appointments made since January, '44			(b) Last Sikh appointed to a		Permanent		Temporary	
	Permanent	Temporary	Permanent Post	Temporary Post	Total No. employed	Percentage of Sikhs.	Total No. Employed	Percentage of Sikhs
(i) Class I	Nil	Hindus 3 Muslims 1 Sikhs Nil Others 2	1934	Nil	6	16.7	6	Nil
(ii) Class II	Nil	Hindus 6 Muslims 3 Sikhs Nil Others 1	1923	1940	16	Nil	8	Nil
(iii) Agricultural-Sikhs Assistants.	2	Hindus 22 Muslims 7 *Sikhs 3 Others 3	1945	1945	36	8.3	46	6.5
(iv) Office Assistants	Nil	Hindu 1 Muslim 1 Sikh Nil Others Nil	1929	Nil	7	14.3	2	Nil
(v) Clerks	Nil	Hindus 17 Muslims 5 *Sikhs 1 Others 1	1942	1944	41	2.4	23	4.3

*One resigned.

REPRESENTATION OF SIKHS IN IMPERIAL RECORDS OFFICE.

†1640. ***Sardar Mangal Singh**: (a) Will the Education Secretary please state the number separately of temporary and permanent appointments of all kinds made in the Imperial Records Office since January, 1944, and how many of them were Hindus, Muhammadans, Sikhs and others?

(b) Is there any Sikh at present working in the whole of the office? If so, in what capacity?

(c) Why are the claims of Sikhs being overlooked in this office?

(d) Will he please consider the desirability of appointing Sikhs in all the ranks of the offices? If not, what are the difficulties?

Sir John Sargent: (a) Altogether 36 temporary appointments (16 superior and 20 inferior) have been made in the Imperial Record Department since January 1944. Of these 25 were filled by Hindus, ten by Muslims and one by an Anglo-Indian. No permanent appointment has been made in this Department during this period. There were only three sikhs among the applicants for the posts mentioned above.

(b) There are two Sikhs on the permanent staff of the Imperial Record Department, one in the clerical grade and the other a Junior Mender.

(c) and (d). The claims of Sikhs for appointment in Imperial Record Department are not overlooked. Sikhs with requisite qualifications are given due consideration in appointments of all kinds in the Imperial Record Department.

DEVELOPMENT OF INDIAN SHIPPING SERVICES.

†1641. ***Maharajkumar Dr. Sir Vijaya Ananda**: Will the Honourable the Commerce Member be pleased to state whether any provision has been made for developing Indian shipping services as an integral part of the interim arrangement arrived at last month after the dissolution of the United Maritime Authority and also whether India has been included in the category of those countries to which the temporary arrangement for provision of transport in respect of essential needs would apply?

The Honourable Dr. Sir M. Azizul Huque: The United Maritime Authority and its Executive, the United Maritime Executive Board, ceased functioning on the 2nd March, 1946. In accordance with the recommendations made by the Board at its final meeting, certain interim arrangements have been brought into force so as to provide a method of resolving difficulties and problems which might arise in the shipping situation after termination of the United Maritime Agreement on the date referred to above. The interim arrangements are to be in force from the 3rd March to the 31st October, 1946. Development of the national shipping of each country being a long range problem does not fall within the purview of these arrangements. As regards the second half of the question, I may state that India, as a country participating in the interim arrangement, is entitled to ask for shipping assistance from other nations in case the need for such assistance arises.

USES OF THORIUM.

1642. ***Sri M. K. Jinachandran**: Will the Honourable the Labour Member be pleased to state the uses to which Thorium could be put militarily? Is the article capable of being used for any civil purpose? If so, what?

The Honourable Dr. B. R. Ambedkar: According to recent reports it seems possible that in the chain reactions which led to the release of atomic energy a part of the Uranium can be replaced by Thorium. Thorium is used in the manufacture of incandescent gas mantles, lamps, radio valves, etc.

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

Prof. N. G. Ranga: Where is it to be found in India?

The Honourable Dr. B. R. Ambedkar: Travancore.

Sri. A. Karunakara Menon: Only in Travancore or in any other part of India?

The Honourable Dr. B. R. Ambedkar: I want notice of that.

Mr. Manu Subedar: Has Government been approached by His Majesty's Government or by anybody outside India in order to control this supply of Thorium, and have Government committed themselves to any particular country?

The Honourable Dr. B. R. Ambedkar: I have no knowledge of any such suggestion.

Prof. N. G. Ranga: Are Government getting this thing examined by their geological experts?

The Honourable Dr. B. R. Ambedkar: I will bear that suggestion in mind.

Sri A. Karunakara Menon: Are they exporting this product to any foreign country?

The Honourable Dr. B. R. Ambedkar: I have no information. If my Honourable friend wants any information, he must give me enough notice.

Prof. N. G. Ranga: Is it being exported? If so, every step possible should be taken to stop its export for national security.

The Honourable Dr. B. R. Ambedkar: I will find out.

EXCLUSION OF HINDUS FROM GENERAL SECTION OF THE HEALTH DEPARTMENT

†1643. ***Babu Ram Narayan Singh:** (a) Will the Health Secretary please state how many Hindus have been posted in General Section of the Health Department from time to time and whether any one is working at present?

(b) What are the circumstances under which the majority community of India has been excluded entirely from this Section?

(c) Who looks after the proper maintenance of due percentage of representation of each community in each Section or office, in accordance with the Home Department's orders and what steps does he propose to take to equalize the representation?

Mr. S. H. Y. Oulsnam: (a) Three Hindus have been posted to the General Section and they are working there at present.

(b) Does not arise.

(c) The attention of the Honourable Member is invited to the reply given to parts (c) to (e) of his starred question No. 1418, on the 29th March, 1946.

SEPARATION OF CHOTA NAGPUR FROM BIHAR AS A SEPARATE PROVINCE OF JHARKAND

†1644. ***Khan Bahadur Habibur Rahman:** (a) Is the Honourable the Leader of the House aware of the movement going on in the Chotanagpur Division of the Province of Bihar for the separation of Chotanagpur from Bihar and making it a separate Province of Jharkand, the ancient name of the place?

(b) In view of the fact that the people of Chotanagpur are the earliest pre-Aryan inhabitants of India and have their own separate culture and are most backward, do Government propose to consider the desirability of taking steps for the creation of a separate Province of Jharkand?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) I am aware that such a demand has been expressed.

(b) Government have no intention at present of taking the initiative in any such matter.

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

GRANT TO AND IMPORTANCE OF ZOOLOGICAL RESEARCH

1645. *Mr. R. C. Morris: (a) Will the Agriculture Secretary please say why the retrenchments made in 1931 in the staff and grants of the Zoological Survey of India have not been fully restored—as in the case of other Departments?

(b) Is he aware of the vital importance of the field work of the Zoological Survey, for which the grant in 1929-30 was Rs. 11,200, which was in itself insufficient, and was last year only Rs. 4,400?

(c) Does he propose to double the 1929-30 grant of Rs. 11,200 for field work?

(d) Is he aware of the importance of Zoological Research in the development of a country's agriculture, Fisheries, Forestry, Animal Husbandry, and the Medical and Veterinary Sciences?

(e) Is he aware that India possesses some of the best brains in the world for this type of valuable work, which has now come almost to a standstill?

Sir Pheroz Kharegat: (a) Due to financial stringency in the past. The question of the reorganisation and expansion of the Department is under consideration at present and Col. Sewell who used to be the Director has come out to India for a few months to advise about it.

(b) The work is of importance but the Retrenchment Committee of 1931 recommended the reduction of the grant and action was taken accordingly.

(c) A proposal for increasing the grant is under consideration.

(d) Yes, Sir, the Department of Agriculture are aware of its importance.

(e) Yes, Sir, thought it cannot be admitted that the work has come almost to a standstill.

MUSLIMS IN CENTRAL P. W. D.

1646. *Mr. Muhammad Rahmat-Ullah: (a) Will the Honourable the Labour Member please state the ratio of Muslim employees in the following posts in the Central Public Works Department:—(i) Superintending Engineers, (ii) Executive Engineers, (iii) Assistant Executive Engineers, (iv) Sub-Divisional Officers, (v) Subordinates, (vi) Head Clerks, (vii) Divisional Accountants?

(b) Why is the Muslim ratio inadequate in gazetted posts?

(c) Why are not the Muslims given promotions on communal basis when the appointments are made on communal basis and when the ratio is hardly eight per cent?

(d) What will be the policy of Government on the confirmation of staff of the Central Public Works Department in the near future? What steps will be taken to adjust the ratio in all posts?

(e) On what basis are the construction and maintenance works allotted to Sub-Divisional Officers and Subordinates? If the Muslims are deprived of the above works and if the complaint is made to the Chief Engineer or the Superintending Engineers, what steps do they take to check communalism?

(f) Is it a fact that the Store or the Standard Measurement Books are allotted to the Muslim Subordinates? Is it a fact that they are not entrusted with the construction and the maintenance works in the Central Public Works Department in Delhi and outside?

The Honourable Dr. B. R. Ambedkar:

(a) (i) Superintending Engineers—8 per cent.

(ii) Executive Engineers.—17 per cent.

(iii) Assistant Executive Engineers.—14 per cent.

(iv) Sub-Divisional Officers.—17 per cent.

(v) Subordinates.—22 per cent.

(vi) Head Clerks.—24 per cent.

(vii) Figures for Divisional Accountants are not readily available.

(b) The posts of Superintending and Executive Engineers are filled by promotion and the orders regarding reservation of appointments for minority communities do not apply to cases of promotion. It is not, therefore, possible to secure the 25 per cent. quota for Muslims in such posts. As regards Assistant Executive Engineers who are appointed both by direct recruitment as well as by promotion, the shortage of Muslims is due to the refusal of a Muslim candidate to accept the offer of appointment which was recently made to him.

(c) As already stated, promotions are not made on communal considerations.

(d) All confirmations of direct recruits and other temporary personnel holding no substantive appointments under Government will be made with due regard to the requirements of the orders regarding reservation of appointments for minority communities. No adjustment of the ratio can, however, be made in the case of appointments made by promotion, but in effecting retrenchment, if any, the orders regarding observance of the communal representation rules will be duly followed.

(e) Construction and maintenance works are not allotted to Sub-Divisional Officers and Subordinates on any communal basis.

(f) No.

Dr. Sir Zia Uddin Ahmad: May I ask, as regards the appointment of Superintending Engineer, if the Honourable Member said on the floor of the House that one place was vacant and he has appointed a person who is not even qualified to carry on the work as Superintending Engineer, while the Mussalmans who could be appointed as Superintending Engineer were not appointed? I also pointed out to him on the floor of the House that the appointment will be made when the Assembly is over and we will have to come up with an adjournment motion.

The Honourable Dr. B. R. Ambedkar: My Honourable friend is completely mistaken. I said that the Executive Engineer was called upon to do the current duties of the office. No appointment has been made.

Dr. Sir Zia Uddin Ahmad: You said he can carry on the work of this Superintending Engineer. I cannot understand the work of this man when he is not carrying on for a day or two, but for months together. Is this the efficiency of this Department?

The Honourable Dr. B. R. Ambedkar: My Honourable friend is entitled to have his opinion.

Dr. Sir Zia Uddin Ahmad: Our opinion is that the entire Department is very inefficient. As regards the other lists of appointments that he has for posts of Executive Engineer, there is not a single Muslim.

Mr. President: Order, order. Will the Honourable Member put his question?

Dr. Sir Zia Uddin Ahmad: I am putting this question. Is it not a fact that in the list now prepared, there is not a single appointment for Muslims?

The Honourable Dr. B. R. Ambedkar: How does my Honourable friend know it? The list has not come to me.

Dr. Sir Zia Uddin Ahmad: The outcome is that not a single man is a Muslim.

The Honourable Dr. B. R. Ambedkar: I do not understand how my Honourable friend can make that statement. The Government has taken no action.

Mr. President: Order, order.

Dr. Sir Zia Uddin Ahmad: Can the Honourable Member deny that there is not a single Muhammadan in the list which he has prepared for Superintending Engineer?

The Honourable Dr. B. R. Ambedkar: As I said, I have not the list. The file has not been sent to me. My Honourable friend will have to wait until the Department has taken action before he criticizes.

Dr. Sir Zia Uddin Ahmad: Then it will be too late.

Mr. President: Order, order.

Mr. Ahmed E. H. Jaffer: Is the Honourable Member prepared to agree that the percentage of Muslims in these appointments of Superintending Engineers and others falls far below the 25 per cent. reserved quota for Mussalmans under G. R. Home Department of 1934, and if so is the Honourable Member going to take steps to maintain the quota?

Mr. President: Has not the Honourable Member already answered that?

Mr. Ahmed E. H. Jaffer: No, Sir.

The Honourable Dr. B. R. Ambedkar: The figures are so obvious.

Mr. Ahmed E. H. Jaffer: It means that the Honourable Member agrees that the Muslim quota is far below the 25 per cent. May I ask the Honourable Member whether he is prepared to take immediate steps to see that the Muslim quota is properly carried out?

The Honourable Dr. B. R. Ambedkar: The Honourable Member's attention is invited to my reply to part (c) of the question.

Dr. Sir Zia Uddin Ahmad: If that position is accepted no Muslims will ever be appointed. The Honourable Member will ask somebody else to carry on the work.

The Honourable Dr. B. R. Ambedkar: The real complaint is against the circular issued by the Home Department and not against the Labour Department.

(b) WRITTEN ANSWERS

ADMINISTRATION OF EXCLUDED AREAS OF NAGA HILLS, SADIYA AND BALIPARA FRONTIER TRACTS AND LUSHAI HILLS.

1647. *Sreejot Rohini Kumar Chaudhuri: (a) Will the Honourable the Leader of the House be pleased to state if the Government of India have taken or propose to take any step to bring the excluded areas of the Naga Hills, Sadiya and Balipara Frontier Tracts and the Lushai Hills under the administration of the Provincial Government of Assam in the near future? If so, what they are; if not, why not?

(b) Have the Government of India tried to ascertain the views of the Government of Assam on this subject?

(c) Are Government aware that the indigeneous people of the Khasi and Jaintia Hills, who number about three lakhs forming a homogeneous community and speaking Khasi language, are against the present system of administration, separating them into British and non-British areas?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) I am unable to understand this part of the question. The excluded areas in Assam are in fact administered by the Provincial Government, the functions of the Governor being performed by him in his discretion. If the Honourable Member's intention is that these functions should be transferred to the Governor acting on advice, this raises a major constitutional issue which cannot be taken up for consideration at present.

(b) Does not arise.

(c) I have no information.

ALLOTMENT OF FOODGRAINS BY COMBINED FOOD BOARD

1648. *Sardar Mangal Singh: Will the Food Secretary please state:

(a) The exact amount of foodgrains the combined Food Board has allotted for India for the whole financial year and for immediate shipping; and

(b) whether this allotment is final or whether the same could be reviewed in the light of representations made by the Government of India hereafter in case the famine conditions become acute?

Mr. B. R. Sen: (a) and (b). No absolutely firm allocations have been received yet, but the quantities indicated so far are as follows:

1.4 million tons of wheat, including some maize, and 145,000 tons of rice for shipment during the first half of the calendar year 1946.

No indication has yet been received of the quantities likely to be shipped in the second half of 1946.

DETENTION OF MR. MANI LAL DOSHI, EDITOR, *Burma Times*

1649. *Mr. Manu Subedar: (a) Will the Secretary for Commonwealth Relations please state what information Government have got with regard to the detention of Mr. Manilal Doshi, Editor of *Burma Times*.

(b) Was he detained in Burma from the 24th of October, 1945, entirely on the initiative of the Burma Government?

(c) Is he going to be tried? If so, for what offence?

(d) Is his detention for political reasons or for criminal?

(e) If the former, will Government enquire the reasons?

Mr. R. N. Banerjee: (a) Mr. Manilal Doshi has been under detention under Rule 26, Defence of Burma Rules, since about October 1945, under the orders of the Government of Burma. He has been under detention pending repatriation to India along with other civilian I. N. A. detenus (and some other civilians).

(b) Yes—The exact date of his detention is not known but is understood to be about October 26, 1945.

(c) It is understood that Mr. M. Doshi is being prosecuted before the Second Additional Magistrate of District Pyapon on charges under sections 395, 342 and 884 I.P.C., that is, dacoity, wrongful confinement, and extortion.

(d) He was not under detention for any offence; but we have only recently been informed that he was being prosecuted on the charges mentioned above on the complaint of a private individual.

(e) Further enquiries about the details of the offences constituting these charges are in progress.

NON-INDIAN FIRMS GIVEN FOODGRAINS STORAGE WORKS

1650. *Mr. Manu Subedar: (a) Will the Food Secretary please state if it is a fact that the foodgrains storage work on behalf of the Central Government is given at Karachi to non-Indian firms? If so, what are their names, what is their remuneration and what is the experience, which each of them has got for this purpose?

(b) At how many other centres is such work given by the Food Department to non-Indian firms?

(c) Why was it necessary for Government to pass over Indian firms for this work?

(d) Were no firms willing to undertake it, and were any approached?

(e) Why is this discrimination shown against Indians?

Mr. B. R. Sen: (a) The managing agents for the Central Government, Reserve Storage Depot at Karachi are (i) M/s. Ralli Brothers Ltd., (ii) M/s. Volkart Brothers. Both of them are well known grain merchandising firms. The terms of remuneration were the lowest quoted.

(b) At no other place.

(c) and (d). More than one Indian firm were asked to quote for this work. The terms proposed by them were discussed with the representatives of these

firms but were found to be unacceptable. The rate of remuneration asked for by them was also deemed to be excessive. There was no passing over of Indian firms in favour of non-Indian firms.

(e) No discrimination has been made.

CURATOR, NEW DELHI ASIATIC MUSEUM

1651. *Mr. Muhammad Rahmat-Ullah: (a) Will the Education Secretary kindly state what salary the present Curator of the New Delhi Asiatic Museum was getting before his appointment at New Delhi?

(b) What is the grade of pay of the post which he is now holding at New Delhi?

(c) What initial pay has he been allowed in the Archaeological Department?

(d) Did this officer appear before the Federal Public Service Commission on due date when other applicants for the post were called for interview, or did he appear before the Commission months after?

(e) Will he kindly lay on the table of the House a statement of applicants who applied for the post of Curator, New Delhi Asiatic Museum, with their qualifications?

(f) Is this museum the same where the former Curator had to make room for the above officer from the Lucknow Museum?

Sir John Sargent: (a) The post of Curator, Central Asian Antiquities Museum, has been abolished but the salary of the present Assistant Superintendent of the Museums Branch of the Archaeological Survey whose headquarters are at the Central Asian Antiquities Museum, New Delhi, was previous to his present appointment, Rs. 275 per mensem.

(b) Rs. 300—325—350—25—600—40—680 per mensem.

(c) Rs. 500 per mensem.

(d) He was on the original Short List prepared by the Federal Public Service Commission but was actually interviewed by the Commission at a date subsequent to the general interview, at which no candidate conforming with the requirements of the post appeared.

(e) It is regretted that the information asked for cannot be supplied.

(f) No former Curator of the Central Asian Antiquities Museum had to make room for the officer in question. An interval of about two years elapsed between the resignation of the last Curator of the Museums and the appointment of the present Assistant Superintendent of the Museum Branch of the Survey.

POWERS OF DIRECTOR GENERAL OF ARCHAEOLOGY & CREATION OF TEMPORARY POSTS

1652. *Mr. Muhammad Rahmat-Ullah: (a) Will the Education Secretary kindly state up to what limit of pay is the Director General of Archaeology empowered to create temporary posts in each case?

(b) What separately, are the substantive and temporary salaries and allowance of the Accountant and Assistant of the Director General's office?

Sir John Sargent: (a) Rs. 250 per mensem.

(b) The permanent accountant in the Office of the Director General of Archaeology in India is at present on deputation, his post is held temporarily by a permanent routine division clerk. While his substantive pay and dearness allowance are Rs. 70 per mensem and Rs. 18 per mensem respectively, his officiating pay and dearness allowance as Accountant are Rs. 170 per mensem and Rs. 30 per mensem respectively. There are two posts of Assistant in the Office of the Director-General of Archaeology in India. The pay and dearness allowance of one Assistant who is holding the post substantively are Rs. 200 per mensem and Rs. 35 per mensem respectively. The second permanent Assistant whose substantive pay and war allowance are Rs. 355 per mensem and

Rs. 62 per mensem respectively, is at present officiating as Office Superintendent and is in receipt of a pay of Rs. 400 per mensem plus a war allowance of Rs. 70 per mensem. In the vacancy caused by the promotion of the second Assistant as Office Superintendent, a permanent second division clerk has been promoted as Assistant. His substantive pay and dearness allowance as 2nd Division clerk are Rs. 175 per mensem and Rs. 31 per mensem respectively and his officiating pay and dearness allowance as Assistant are Rs. 180 per mensem and Rs. 32 respectively.

QUALIFICATIONS AND PAY OF JOINT DIRECTOR GENERAL OF ARCHÆOLOGY

1653. *Mr. Muhammad Rahmat-Ullah: (a) Will the Education Secretary kindly state whether the present Joint Director General of Archæology knows Conservation and Excavation works?

(b) What is the substantive pay of the above officer as Government Epigraphist, and what is his pay now as Joint Director General with war allowance?

(c) Was the post of Joint Director General specially created to provide the present incumbent?

(d) What are the special qualifications of the above officer which led the Government of India to create a high salaried post in these days of famine?

Sir John Sargent: (a) The present Joint Director General is not a specialist in conservation or excavation but has a general knowledge and experience of the principles and practices involved.

(b) His substantive pay as Government Epigraphist would be Rs. 1,050 plus Rs. 100 special pay plus Rs. 201 as war allowance. His pay in the temporary post of Joint Director General of Archæology is Rs. 1,750 plus Rs. 263 as war allowance.

(c) and (d). The post of Joint Director General of Archæology has been created temporarily for two main purposes:

(1) In order that, during the present general reorganization of the Archæological Survey including its transfer to the new Department of Education, the only officer with recent and extensive administrative experience at headquarters and with a full knowledge of the scope and nature of the current reorganization may be retained at headquarters to assist the Director General of Archæology in his task and to relieve him of a number of exacting administrative duties which would prevent him from carrying out his primary and urgent task of training new entrants and re-modelling the Circles. The post of Joint Director General of Archæology was envisaged specifically in the plans prepared three years or more ago for the reorganization of the Department, for exactly the reasons which have now necessitated its creation.

(2) It has long been felt that the admitted failure of the Department in the past to fulfil adequately the vitally important duties of conservation and exploration entrusted to it has been due in no small measure to the inability of any Director General of Archæology to maintain sufficiently close contact both with work in the field throughout India and with Government at New Delhi. The Woolley Report of 1939 strongly stressed the need for a larger Departmental headquarters, and its recommendations in fact went further than those which are now being carried tentatively into effect. The present Joint Director General of Archæology has, as already mentioned, the special qualifications and experience essential for this task, having served at headquarters under two successive Directors General of Archæology.

It would be a false economy to bring out as a short-term Director General of Archæology an officer with special technical qualifications and experience and then to compel him to devote the greater part of his time to administrative duties.

LICENCES FOR IMPORT OF RADIO MANUFACTURING MACHINERY

1654. *Sardar Surjit Singh Majithia: Will the Honourable the Commerce Member please state:

(a) whether it is a fact that Government desire to encourage the manufacturing of radios in India;

(b) whether any import licences for obtaining Plant and Machinery from the United States of America for the manufacture of radios have been granted;

(c) how many applications are pending for the issue of such import licences from the United States of America and for how long; and

(d) if it is a fact that the Punjab Electric Lamps and Radio Manufacturing Company, Limited, Lahore, asked for the permit for obtaining the latest Plant and Machinery from the United States of America and for which they have completed all negotiations; and whether the sanction has been accorded to them; if not, what is the delay?

The Honourable Dr. Sir M. Azizul Huque: (a) Yes, Sir. Government have constituted a panel to examine the possibility of manufacturing radios in India.

(b) Nô.

(c) Only one application is pending with the Chief Controller of Imports since December last.

(d) The Punjab Electric Lamps and Radio Manufacturing Company, Limited, Lahore, have asked for a licence for import of plant and machinery for the manufacture of valves and tubes for radios from the United States of America and have stated in their application that negotiations for purchase are complete.

In the interests of conservation of difficult non-sterling currency resources, however, it is essential that the availability of the plant in sterling area countries should first be explored and this is already engaging the attention of Government. The applicants have also been asked to state whether they have made any attempt to locate supplies in the sterling area. No decision has therefore yet been taken on the application.

UNSTARRED QUESTIONS AND ANSWERS.

CATTLE SLAUGHTERED AND OTHERWISE DESTROYED.

183. Shri Mohan Lal Saksena: Will the Agriculture Secretary be pleased to state:

(a) the number, during the last ten years, i.e., five years previous to war, and five years during the war, of slaughter houses, and cattle slaughtered including those required for military, in details, namely, (i) cows, (ii) bullocks, (iii) their young stock, (iv) she-buffaloes, (v) he-buffaloes, and (vi) their young stock; and

(b) the number of cattle destroyed by floods, storms and other calamities in the whole of India during the last ten years?

Sir Pheroze Kharegat: (a) It is regretted that no figures are available either of the number of slaughter houses or the number of cattle of different types slaughtered. All that can be stated is that generally there is one military slaughter house in each garrison town but their number is never constant and that such figures as are available of the number and percentage of cattle slaughtered for military purposes were laid on the table on 11th February, 1946, in reply to part (b) of Mr. Manu Subedar's starred question No. 147.

(b) It is regretted that the information is not available.

RESEARCHES IN ANTHROPOLOGY.

184. Sardar Mangal Singh: Will the Education Secretary be pleased to state whether anthropological survey has been conducted so far in India during

the last ten years? If not, have any steps been taken by Government to promote researches in Anthropology in any parts of India during the last ten years?

Sir John Sargent: Some work in Anthropological Survey has been conducted by the Government of India during the last ten years; they have maintained a small section of Anthropology in the Zoological Survey of India which has undertaken research and Survey work on a limited scale.

Since December 1945, Anthropology has been separated from the Zoological Survey of India and steps are being taken to build up an adequate Anthropological Service in India at an early date.

SALE OF SON'S SHARE OUT OF INSOLVENT FATHER'S ESTATE

185. Mr. Manu Subedar: (a) Has the attention of the Honourable the Law Member been drawn to the report in the *Hindu* of Madras, dated the 19th November, 1945 relating to the shares of sons in an insolvent father's estate and the right of the Official Receiver to sell such shares?

(b) Do Government propose to consider a change in law so as to vest in the Receiver the right to sell the sons' share?

The Honourable Sir Asoka Roy: (a) and (b). The Honourable Member is referred to my reply to starred Question No. 1260, answered on the 27th March, 1946.

SHORT NOTICE QUESTION AND ANSWER

DEATH OF R. K. CHARI IN FIRE IN MADRAS EXPRESS TRAIN

Sri R. Venkatasubba Reddiar: Will the Honourable Member for War Transport be pleased to state:

(a) if it is a fact that one R. K. Chari, Deputy Field Controller of Military Accounts in Poona, died in a fire on the 2nd April, 1946, in the Madras Express train;

(b) if it is a fact that one upper class carriage was completely destroyed;

(c) the reason for the fire;

(d) the number of deaths, and the value of property lost; and

(e) the action that is taken by the Government?

The Honourable Sir Edward Benthall: (a) A human body was recovered on the 2nd April, 1946, at Diksal Station from the debris of the coach which was burnt. The body was charred and unrecognisable but circumstantial evidence leads to the belief that the body was that of Mr. Chari.

(b) Yes.

(c) I have not received any conclusive finding about the exact cause of the fire, but the matter is under enquiry by the Government Inspector of Railways.

(d) One person was burnt to death. Information as regards the value of property lost is not available.

(e) The Government Inspector is holding an enquiry into this case.

Prof. N. G. Ranga: Is any compensation or allowance proposed to be given to the family of Mr. Chari?

The Honourable Sir Edward Benthall: The rules will be observed.

Mr. Manu Subedar: What was the cause of the fire? Has it been ascertained?

The Honourable Sir Edward Benthall: I have replied to that question in answer to part (c). I have got no conclusive report yet.

Sri R. Venkatasubba Reddiar: What is the value of the carriage lost?

The Honourable Sir Edward Benthall: If the Honourable Member would put down a question, I shall be glad to give a reply.

Sri R. Venkatasubba Reddiar: I have asked a question on the value of the property lost.

The Honourable Sir Edward Benthall: I took that to refer to the value of the property of the passengers. But if the Honourable Member will put down a question I shall be pleased to reply.

MOTION FOR ADJOURNMENT

STARVATION DEATHS IN THE STREETS OF CALCUTTA

Mr. President: I have received notice of an adjournment motion by Mr. Sasanka Sekhar Sanyal relating to the "recent starvation deaths in the streets of Calcutta". I should like to know as to how taken as a whole the motion is specific. When did these deaths occur?

Mr. Sasanka Sekhar Sanyal (Presidency Division: Non-Muhammadan Rural): It appeared in yesterday's *Hindustan Times* and also in the *National Call* of the 6th and also in the *Hindustan Standard* of Calcutta of the 6th that during the week ending the 30th March (the papers reproduced the substance of the Government communique) there were several deaths due to starvation and the Bengal Government press communique has stated that these deaths are not very many in number as reported in some of the papers but much less and that certain instructions had been given. The specific matter is that as in 1943 the starvation deaths in the streets of Calcutta have just begun and certainly it is a matter of great urgency from the public point of view and it should be discussed on the floor of the House, because we want to understand what the Government of India have done to prevent these deaths and what the Government of India is doing now for the future to prevent further deaths from starvation. We have also our suggestions to give in regard to this matter by way of comments on the administration report of the Central Food Department.

Mr. B. R. Sen (Secretary, Food Department): Sir, I happened to be in Calcutta on Friday, Saturday and Sunday and I have just come back. I saw a report published in some of the papers and I made enquiries. The facts as ascertained were these. In the fortnight ending with the 30th March there was a report in the papers that 56 unidentified dead bodies were picked up in the streets of Calcutta. The fact of the matter is that the Municipal Health Officer had communicated to the press the total number of persons buried as paupers during that period. These dead bodies were not picked up from the streets of Calcutta but were bodies which were made over by the hospitals in Calcutta.

As regards the causes of the deaths, so far as I could ascertain, the deaths were due to various causes but two deaths possibly were due to starvation. I asked the local authorities about the position regarding food stocks in Calcutta and round about Calcutta and I was assured that there were plenty of stocks both in Calcutta and roundabout. As to why these deaths took place I could not ascertain. There are hospitals for destitutes scattered all over Calcutta and people like those who are in want of food or who are suffering from starvation are taken to these hospitals for treatment. These two persons, as far as I could ascertain, were actually treated in hospitals and they died there.

These are the facts before me. I have asked for further facts, because I saw in the papers a press note by the Bengal Government to say that certain numbers of destitute persons were coming into Calcutta, and Government were taking steps to control their movements by providing food for them in the areas from which they were drifting. I could not get all the information yesterday and I am waiting for further information. This is all the information I can place before the House now.

Mr. Sasanka Sekhar Sanyal: So far as the number of deaths is concerned it would not serve any useful purpose to enter into a controversy over that. The press reports say that the number of starvation deaths on the streets of Calcutta are much larger than Government stated in their communique: at any rate from the condition of the body it would be possible to find out the cause of death. If, however, a discussion on this subject would be more helpful tomorrow I have no objection if the motion is admitted and the debate, postponed till tomorrow.

Mr. B. R. Sen: Sir, this is primarily a provincial matter. So far as we are concerned we have got to see that the Provinces are stocked with food and we are satisfied that at present both Calcutta and the districts surrounding Calcutta have got plenty of stocks. Also we have to see that there are adequate arrangements for the treatment of destitutes, and we are satisfied that there are several hospitals for the treatment of destitutes. Therefore I do not see that any useful purpose will be served by bringing an adjournment motion over this subject in this House. If the Honourable Member wants information as regards the details, the proper venue for the discussion of the subject will be the Provincial Legislative Assembly.

Mr. Sasanka Sekhar Sanyal: So far as hospitals are concerned the subject matter of my motion is not concerned with it. But so far as the deaths due to starvation in Calcutta are concerned, may I know whether the Government of India have no responsibility in the matter? Are they disowning their responsibility for feeding people and preventing deaths due to starvation?

Mr. President: As I understand it, the position of the Government seems to be that their responsibility extends to satisfying themselves that stocks of foodgrains are supplied to the Provinces according to their various needs. But so far as the actual administration of the food situation is concerned in the form of giving relief to people suffering from starvation or in the form of distribution or rationing of the food supply, etc., i.e., the execution of the policy is a matter for the Provincial Government. That is the position.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Sir, if you look into the constitutional position you will not find any mention of any responsibility on the part of the Central Government to see that the Provincial Governments are supplied with the necessary quantities of food. Even that will not be found in the list of subjects, Provincial or Central. The Government of India have taken upon themselves this responsibility. We want to know why the Government of India wish to dissociate themselves from the responsibility of seeing that people do not die of hunger anywhere in India, especially in British India, particularly when there is a food famine crisis and the Viceroy as well as the Government of India have said they are prepared to take their full share of responsibility.

Diwan Ohaman Lall (West Punjab: Non-Muhammadan): The responsibility of the Government of India would arise this way. It is necessary in this situation for the Government of India to devise, along with Provincial Governments, some machinery, some method, whereby deaths from starvation do not occur in any part of India. For that purpose the Government of India cannot merely divest itself of responsibility by saying "We have provided the food. Provincial Governments have got to administer the distribution of food". What this motion suggests is this, that an urgent opportunity has arisen for the Government of India to take note of the feelings of this House in order that the Government of India may, along with Provincial Governments, devise some machinery whereby this sort of thing is stopped for the future. In that respect, since we have a Food Member, since we have a Department dealing with this matter, it is necessary that more powers, if necessary, should be taken by the Government of India, along with Provincial Governments, to see that this sort of thing is stopped for the future. I submit that is quite within our powers.

Shri Sarat Chandra Bose (Calcutta: Non-Muhammadan Urban): May I add one word to what has already fallen from my friends? The Honourable the

[Shri Sarat Chandra Bose.]

Food Secretary said just now that people had started coming from mofussil areas to Calcutta in search of food. That is a very serious state of things. The House may remember that in 1943 similar things happened and they were the prelude to the start of the famine. In 1943 there were also starvation deaths in the streets of Calcutta. They have again begun. The matter is too serious for words. I would suggest to the Food Secretary to take the House into his confidence either today or tomorrow and place the whole position before it, particularly what steps have already been taken by the Government of India in order to supply food to the mofussil areas in Bengal and to prevent further starvation deaths in the streets of Calcutta.

Mr. President: What appears to me is that, the food position is undoubtedly serious whatever the constitutional position may be as regards the responsibility of the Central Government under the present working arrangements. Now that the Government of India has taken responsibility for food, I think the spirit of the motion, as it appears to me, is, not to censure the Government of India for having failed to do anything but, probably to invite their attention to the urgency of the matter that instead of shelving this question on the ground that it is the responsibility of the Province as against that of the Government of India, they should take over that responsibility even if they have not, and try to find out a way, in consultation with Provincial Governments, to see that the proper administration of food is carried out, so that there may be no deaths by starvation anywhere in the whole of India. If that is the position of the mover, then of course the nature of the adjournment motion changes. It is not a motion so much to discuss the actual position in Bengal as to discuss what preventive measures should be taken, what further powers should be exercised by the Government of India in this respect and how the whole All-India situation should be dealt with. If that is the object, then, of course, I believe it is worth while considering as to why this House should not consider it from that point of view as to what the Government of India have been doing and what they should do even if they have not done it so far.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): That raises an omnibus debate on the food question relating to every part of the country. It is a very wide issue.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I do not know whether it is relevant, but there is one thing about people dying of starvation in Bengal. In our parts of the country they will kill people in the bazar and go to jail; they will not die quietly by starvation.

Mr. President: That is not relevant to the issue of the admissibility of the motion. That is a different matter.

Dr. Sir Zia Uddin Ahmad: I thought so.

Mr. President: If the Leader of the House and the Leader of the Opposition agree, we will discuss the admissibility of this motion tomorrow.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I prefer that course.

Mr. President: In the meanwhile, some more information will be available.

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: We shall see what further information we can get from the provincial authorities, and the adjournment motion may be taken up for tomorrow to consider whether it is admissible.

Mr. President: I think so.

STATEMENT OF BUSINESS

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar (Leader of the House): In view of the sentiments expressed by Members of the House when I announced on Friday the 5th April that the moving of an official motion

[Sir A. Ramaswami Mudaliar]

with reference to the amendments to the constitution of the International Labour Office was not contemplated, the Honourable the Labour Member has given notice of a resolution on the subject now which, subject to your consent and to the proviso to Standing Order 58 regarding the number of days notice that is required for entertaining the resolution will be entered in the List of Business for next week.

ELECTION OF A MEMBER TO STANDING COMMITTEE FOR DEPARTMENT OF PLANNING AND DEVELOPMENT

Mr. President: I have to inform the Assembly that upto 12 Noon on Friday the 5th April 1946, the time fixed for receiving nominations for the purpose of election of one non-official Member to serve on the Standing Committee for the Department of Planning and Development for the current financial year, 1946-47, in the vacancy caused by the resignation of Mr. M. Asaf Ali, M.L.A., only one nomination was received. As there is only one candidate for the vacancy, I declare Shri Mohan Lal Saksena to be duly elected to the Committee.

SUMMARY OF PROCEEDINGS OF THE SEVENTH MEETING OF THE STANDING LABOUR COMMITTEE

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I lay on the table a copy of the *Summary of Proceedings of the seventh meeting of the Standing Labour Committee held at New Delhi on the 28th August 1945.

INDUSTRIAL EMPLOYMENT (STANDING ORDERS) BILL

The Honourable Dr. B. R. Ambedkar (Labour Member): I move for leave to introduce a Bill to require employers in industrial establishments formally to define conditions of employment under them.

Diwan Chaman Lal (West Punjab: Non-Muhammadian) May I on a point of order enquire how this Bill can be moved when another Bill is being discussed? Would it not be proper to take up this motion after the other Bill has been discussed?

Mr. President: We have not started with the discussion of the other Bill which was pending before the House. This is purely a formal matter. It is more convenient, and so far as I know there have been precedents also where a pending matter before the House has been postponed and another matter taken up. It is purely a matter of procedure and adjustment.

The question is:

"That leave be granted to introduce a Bill to require employers in industrial establishments formally to define conditions of employment under them."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

PROTECTIVE DUTIES BILL—*contd.*

Mr. President: We will now proceed with the motion moved by the Honourable Sir Azizul Huque on Friday that the Bill to enable the immediate imposition of protective duties of customs on imported goods be taken into consideration.

Diwan Chaman Lal (West Punjab: Non-Muhammadian): On the last occasion I was saying that this is a matter which involves a very serious principle—not only a principle which governs taxation but also a principle of some constitutional importance. My Honourable friend agreed at that time that he would at the earliest opportunity bring a Bill before this House in respect of any interim recommendations that may be accepted by the Government. I take it that my Honourable friend will bring this measure before the next session, and at the earliest moment, of this Legislative Assembly. I take it, that is the position.

The Honourable Dr. Sir M. Asizul Huque (Commerce Member): If I am there.

Diwan Ohaman Lall: If my Honourable friend is not there, then his successor will be there and I take it that my Honourable friend will take this step which is contemplated in the manner I have suggested. Now, there are two opinions in regard to this matter. One opinion is to the effect that power should not be given to the Government to deal with this matter, as Government is wanting to deal with it. The second opinion is that in the circumstances of the case, in view of the fact that this House will not be in session and a report or reports may have come in or are in the process of coming in or being received by Government, it is necessary to possess some power in order that no damage may be done to industry in respect of these protective duties. I submit that whatever may be the cause for bringing this measure at this late hour in this House, there is a case made out for powers being vested in the hands of the Government irrespective of the principle that is covered by the question of protective duties. That, in my opinion, is a matter to be considered in reference to each individual industry and in view of the conditions that prevail in the country in respect not only of industry but of the interests of the consumer on one side and of the working classes on the other. Therefore there are not only these two opinions, but there are also two opinions regarding the permanency of any organisation that may be set up to go into these matters. I submit that this is not the time when we can go into that particular subject, although it is necessary, as was done by my Honourable friend to my left, that this matter should be brought to the notice of the Assembly and of the Government. But the time will have to come when this Government will have to consider what possible effects tariff policies impose upon the industries of this country, and will have to take steps to find out which of these industries need assistance from the state and in what circumstances. It is a policy of a haphazard nature which has been pursued so far in respect of tariffs; but now the times have changed and the time has come when we should take steps to organise that policy in the interests not merely of the industry but in the interests of the nation. There is no doubt that Government through these policies have been assisting financially various industries in this country. But it must be remembered that industry for its success depends not merely upon the promoters of the industry, not merely upon those who organise and manage it, but it depends upon the people and upon the working classes who are engaged in that industry. As I said, on the one side there has been this financial assistance that has been given to industry; but to this day, not one single measure has been adopted by the Government to give the smallest financial assistance to the working classes. One has to remember, Mr. President, that there are industries in this country which will benefit, which are actually housed in British India. But there is a large number of these industries which is not in British India, which is in the Indian States, over which we have no possible control of any kind whatsoever—we are giving those industries also assistance by this method. There are industries—I shall not name them—but I think those who are interested in these subjects should be fully aware of the nature of those industries, which make lakhs upon lakhs of profits as a result of the assistance given by these measures, but where the working classes get a maximum of Rs. 15 or Rs. 20 a month—where no arrangements are made for housing, no arrangements for social protection, no arrangements for unemployment, no arrangements for old age, and no arrangements for sickness. If the industry is sick, the industrialists will come to the Government and ask for assistance in order to get rid of that sickness; but when the workers suffer from disease, there is no assistance given to those workers. I submit that these are matters of larger policy which will have to be considered at the very earliest date by the Government. I am merely mentioning these facts because the subject happens to be before the House now in this incidental manner; but when the time comes and I hope my Honourable friend will see to it when the time comes that he brings up this matter in a comprehensive manner.

I have nothing more to say except this, to warn the House that the House must not be too eager to go in for assistance for all these industries without satisfying itself of many things that are vital to the development of these industries, inclusive of the labour force engaged in these industries. The time may come when many of these industries may have to be nationalised; it will then be to the interest of the nation to see that every type of protection is given to these industries so that, when the profits are made, they do not go into private pockets but they come back into the treasury, profits which are due to the sacrifices of the consumers, as a result of these protective duties. These are vital issues of a fundamental nature, and I hope my Honourable friend will remember these issues when he is dealing with these industries. I make no secret of the fact that I am opposed to protective measures which are designed merely to swell the industrialists profits and put a premium upon inefficiency and waste and benefit neither the producers of wealth nor the nation.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, during my parliamentary life in this House, I had two fiscal shocks and this is the third one. The first was

Sir Cowasjee Jehangir (Nominated Non-Official): You have survived them very well!

Dr. Sir Zia Uddin Ahmad: When Sir George Schuster came forward with a Bill that the duty all round should be raised by 25 per cent. I raised this question at the time and said we must examine each duty before we raise it. But he did not do that and raised the duty not only of those articles which were imported into this country but he raised 25 per cent. of the protective duties on all articles which were protected at that time. The result was the duties were increased by 25 per cent., which was entirely opposed to the recommendations of the Fiscal Commission; and if I am permitted I could speak for a whole day. This mistake was committed time after time on this question of protection about sugar and about textiles, because these two industries really rule the Government; the Government does not rule these industries; but these industrialists rule the Government. I have said repeatedly on the floor of this House without being challenged that I have not seen a single Finance or Commerce Member since I came here, who has had the courage to fight these industries on account of their strong influence and on account of the wealth which they have received on account of the wrong policy of protection which has been followed; the first time was when Sir George Schuster moved that an additional 25 per cent. should be levied; and the second shock which I received was when Sir Joseph Bhore came forward, without any reason whatever, to give a temporary relief to certain commodities: he picked about a dozen articles which he said ought to be protected and he put down a kind of protective duty which he did not call protective duties but called it temporary relief, to certain industries to which he wanted to show favour; and that was really a great mistake. We opposed it but the Government had a majority and they carried the Bill through. This is very unscientific and against the recommendations of the Fiscal Commission of 1920. The first thing was done by Sir George Schuster on account of the nervousness that was created on account of the economic conditions; and the second thing by Sir Joseph Bhore on account of his interest to do something before he left office as Commerce Member. The position of my Honourable friend the present Commerce Member is about the same: he wants to do something about protective duties, though it is justifiable by economic reasons or under the recommendations of the Fiscal Commission. This thing is not so trifling as not to need examination. I think the House will remember that when we passed the Defence of India Act, it was a two-clause Act; and I am guilty because I supported that Act at that particular time; but I never conceived that that two-clause Bill would give rise to the code of Defence of India Rules which really overshadows all the legislations that we have passed in this particular House. I think we are making the same mistake and we are giving power to the executive to levy these duties on the recommendations of the Tariff Board.

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I will discuss in what way this thing is defective. It is really one thing in which the legislature is vitally interested, and the imposing of the protective duties can never be left to the executive as our experience of the last 24 years has clearly proved. We can show that time after time they have put on a protective duty when really they were not demanded.

I ask the Honourable the Commerce Member—will he defend the 25 per cent. duty on sugar in 1931 and when he came into office why did he continue and recommend the perpetuation of this particular duty. I am sure he will continue to do the same mistake

The Honourable Dr. Sir M. Azizul Huque: When did I do that?

Dr. Sir Zia Uddin Ahmad: Several times. When the Sugar Tariff Act came to an end, he came forward that the thing should be continued. I will bring him the Act and show him when he has done it. May I know whether the Tariff Board has recommended that the present duties on all these protected articles should continue and should remain as they are at present.

The Honourable Dr. Sir M. Azizul Huque: We have finished the Bill. My friend is talking about the other Bill. My friend never did object to it. The only time I committed the atrocious blunder which my friend attributes to me was in 1944 when my friend was a Member of this House. I have tried to go through the proceedings. He did not utter a single word of caution, warning or objection.

Dr. Sir Zia Uddin Ahmad: He asked us to certify and passed the orders for levying the protective duty as recommended by the Tariff Board. That is a proposition which we at least on this side of the House cannot accept. We see that the outlook of the Tariff Board is very different. When you appoint a Tariff Board, they first look into the fact that this particular thing has got to be protected and they find out the reasons for giving that protection. The mentality and the angle of vision of the Tariff Board has changed. This is like two examiners. One takes the view that a boy obtains zero marks and then he gives the marks and the second examiner gives the maximum marks and then goes on deducting marks if any mistakes is committed. If the answer books are examined from these two angles, the results are entirely different. Statistics have given proof of this. Now, your Fiscal Commission very often acts in the interests of the industrialists alone. They very seldom look to the interests of the consumers and the poor people. They only look to the capitalists. I think the recommendation of the Tariff Board ought to be examined and tested by the representatives of the consumers and representatives of the poor people.

Now, my friend must have read every word of the Fiscal Commission's report made in 1921 and 1922. I put them questions and in my speech on the Finance Bill I said that the time has come when the economic conditions have completely changed. We now require another Fiscal Commission to consider and make recommendations on the economic policy which exists today. This thing has not been done. I have not seen any proposal from the Commerce Member saying that he is contemplating the appointment of a Fiscal Commission at present. My friend will know that the condition of the world has very much changed. They are not in favour of protecting the capitalists. But they are in favour of protecting the industries of the country provided those industries are nationalised. If the industries are nationalised, then protection is all right, because the profits will go to the State and will give relief to the taxpayer. But now the entire profit goes to the capitalists.

Conditions in the world are now very much changed from what they used to be after the great war and we should not give this protection in nervousness or in haste. I say that these proposals for protection should be critically examined before any action is taken.

The question of protection is a very important one. There are several factors which have got to be considered. Now there is one thing which the Government and the Tariff Board will never consider but which we have to consider on the floor of the House and that is what effect these protective duties will have on the price index, whether the price of a particular article will go up or go down. This is a point which the legislature alone can consider which the executive Government or the Tariff Board will never look into. My friend knows that the prices fixed by the Tariff Board were never accepted and never adhered to by the industrialists themselves. It is the legislature alone which is competent to judge the effect on the price level.

Then there are a number of other things. For example, the Fiscal Commission recommended that in protectionists countries considerable difficulties have been experienced in reducing and removing the duties even when they are no longer required. Now, this is the difficulty which the Legislature will have to face. The Tariff Board recommends a particular duty. The Government accept the duty. The duty is being levied. The capitalists begin to earn something. When the matter comes up before the Legislature indirect pressure will be brought by the capitalists on individual Members and many of them yield to the temptation. I think it is unfair to expose the House to this method of the industrialists putting pressure from behind. The Report of the Fiscal Commission clearly shows that once we have put down a duty it is exceedingly difficult for the legislature to remove it. This thing is verified from our experience as regards sugar, textiles and a number of other things on which duties have been imposed. The Fiscal Commission clearly said on page 57 that tariff protections should not be granted as a rule to new industries. These are the industries which have been created on account of war conditions. We entirely agree that during the war it is very desirable that new industries should be created. All the things that we have accepted in peace time will have to give way in war time to considerations of winning the war. During the war, everything that is calculated to win the war is justifiable. We have created new industries during the war as a war measure. From this it does not follow that every one of these things should be perpetuated in peace time and those peace time conditions have been laid down by the Fiscal Commission of 1922:

"But while we feel that we cannot indicate with any degree of definiteness the stages at which tariff protection can best be applied to existing industries, we consider that in the case of new industries a more definite principle can be laid down. If applications for tariff assistance are entertained on behalf of industries which have not yet come into existence, and the Tariff Board has to consider not facts but the anticipations of the promoters, it will be a task of great difficulty to make a selection with any reasonable assurance of success."

They do not want to leave it to the Tariff Board, they do not want to leave it to the executive action of the Government. A proposal of this kind ought to be freely discussed with open minds by the legislature and every side of the question should be examined. It is a very dangerous procedure which the Honourable the Commerce Member has now asked us to accept, namely that by executive action he may levy a duty on whichever article he likes. In that case, Sir, the question of corruption comes in. This has also been pointed out by the Fiscal Commission. It was also pointed out on the floor of the House several times that there has never been any time since the advent of British administration in India when the Government has been more corrupt than at present. By giving the Government this power to levy protective duty, we are placing in their hands another temptation particularly at a time when it is not desirable to do so. I think this power to levy protective duty ought to be reserved for the legislature alone and the executive should not be clothed with this authority.

Sir, the Tariff Board laid down three essential conditions for grant of protective duty on any article. We should like to know whether Government have satisfied themselves that these three essential conditions will be employed before any new industry will be included in the list of protective articles. One condition is that the industry must be one possessing natural advantages such as abundant

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supply of raw material, cheap power and efficient supply of labour and a large home market. This is the first condition to be satisfied in each case. I do not know whether this aspect will be examined by any person on behalf of Government or are they likely simply to say 'yes' to all the recommendations of the Tariff Board. The second essential condition is that the industry must be one which without the help of protection either is not likely to develop at all or is not likely to develop so rapidly as is desirable in the interest of the country. This is the obvious corollary from the principles which have been laid down. The main object of protection is either to develop industry which otherwise would not be developed or to develop with greater rapidity. In this particular case the Government ought to examine each particular industry whether this principle is applied and whether the industry in the long run will be able to stand on its own legs. The third condition is that the industry must be one which will be eventually able to face world competition. This condition also ought to be considered carefully. The importance of this condition is obvious. The protection we contemplate is temporary protection to be given to industries which will eventually be able to stand alone. In each case this ought to be examined carefully. I pointed out time after time on the floor of the House that whatever protection we give to industries, we should not give it to capitalists. The object of protection is not to give fat dividends to capitalists. Some individuals invested money during the war and they are anxious to continue to derive the same rate of profit during peace time also. On account of this anxiety they may press on the Government of India to give them protection, and the Tariff Board in order to please them should not accept their plea. We should like to be satisfied that the demand for protection does not arise out of desire to have fat dividends during peace time also as they did during the war. This is a very important point to be considered. I am not going to give my opinion blindfolded, I am not going to give a *carte blanche* to the Government of India on this particular question. What would be the effect of this on the price level? At present we have been shouting that the prices are high, the purchasing power of the rupee is only five annas and that the salary of every member of the Government of India ought to be raised to three times. But any action we may take might tend to increase the price level and diminish the purchasing power of the rupee. This tendency ought to be resisted. If this protective duty is allowed to be imposed by executive action, we do not know whether Government will impose it on two articles or 20 articles or 200 or 2,000 or two million articles. There will be no limit whatsoever. We cannot give a *carte blanche* to this Government which has no conscience.

The Honourable Dr. Sir M. Azizul Huque: I can assure my Honourable friend that it will never be 2,000 not to speak of two millions.

Dr. Sir Zia Uddin Ahmad: My Honourable friend may say so, but what about his successors.

The Honourable Dr. Sir M. Azizul Huque: I am quite prepared to take a bet.

Dr. Sir Zia Uddin Ahmad: The Honourable Member cannot give a guarantee for all times and on behalf of all his successors.

The Honourable Dr. Sir M. Azizul Huque: I can guarantee that it will not be 2,000.

Dr. Sir Zia Uddin Ahmad: This is a point which has to be looked into, whether this protective duty will affect the price level of our manufactured articles. We have already seen that the price index is fairly high. We have been demanding that the price index should be reduced to 125 per cent., my Honourable friend Prof. Ranga wants it be reduced to 100 or 110 per cent. At present the price index is 250 per cent. and I do not think how with a clear conscience, we can give the Government this power to impose protective duty without ascertaining what will be its effect on the price level of commodities. I want to know from any economist on the Government side whether the prices will come down. This is a

question, which can be answered practically. It is not so difficult as the question of a monkey on one side with a pair of scales and claimants on the other side who wanted to know whether the scale will go up or go down.

The Honourable Dr. Sir M. Azizul Huque: I do not want to answer this because my Honourable friend has brought in the monkey for his illustration.

Dr. Sir Zia Uddin Ahmad: It is an ordinary question which we have to put, it is not a mathematical question, it is a simple question on economics. It is a simple problem whether by levying this protective duty, the prices will go up or come down. The one and only reply I can give to this question is that by levying a protective duty, the prices will go up. My Honourable friend will say, no. When the Tariff Bill was first under discussion, it was pointed out that whatever protection was given to any industry, it was really by way of loan to that industry by the consumers of the country and the consumers expect the loan to be repaid in the shape of reduced prices. Whether the industry to which protection has been given can guarantee a lowering of price is a question which has to be carefully consider. Take the case of sugar industry. The protection that has been given to it has never been paid back in the shape of reduction in prices. We find that the price of sugar is going up day by day. We got back nothing. In cloth we have got nothing back. We have failed miserably in these. With regard to articles on which a special protective duty was levied in 1934, we find that the prices are still high and there has been no paying back of the duties. That is one of the points on which I expect a clear reply from the Honourable Member, whether these protective duties, which are of the nature of loans to the industry, will be repaid to us. Past experience shows that there has been no repayment.

I will next come to the dangers pointed out by the Fiscal Commission, and I should like to know what provisions have been made by the Honourable Member to guard against these dangers. The first is the danger of combines. It was pointed out that prices are lowered by cut-throat competition but when there is a combine this competition disappears. In sugar we have seen the absence of cut-throat competition; the sugar industrialists formed a syndicate, which fixed the prices, and these prices were always higher than the prices fixed by the Tariff Board when they gave this protection. But when the difficulties became great and serious complaints were made, the local Government had to step in and they raised the price of sugar-cane. Then there was a kind of competition between sugar-cane prices and the prices of sugar. All this trouble was due to the action of the combine. I should like to know what precautions have been taken by the Honourable Member against this kind of combine raising the prices of articles to which we are giving protection and for ensuring that there will be open competition.

The second thing is that the protection should be for a limited period and should not be perpetuated. What is the guarantee for that and what period will he fix for this protection? We found from experience in the case of articles to which protection was given that this period was never mentioned. In the case of all protection given under the Act of 1934, the prices have not come down and the industries have made no progress: only some money has gone into the pockets of a few industrialists who were interested in these industries. The Tariff Board of 1921-22 said this:

"The duration of the burden will also be extended if protection operates to prolong inefficient methods of production. As an instance of this possibility we may refer to the views of the Indian Sugar Committee of 1920. After a detailed inquiry into the conditions of the sugar industry they came to the conclusion that, at the time at which they wrote, the degree of protection, direct or indirect, enjoyed by the industry was sufficient, and they added:—'We fear that any increase in the duty might result in bolstering up an inefficient industry to the detriment of the consumer.'"

In spite of this the period was extended for period after period. That is the danger and we must guard against it now in giving protection. The question of protection is a serious one and I am opposed to the kind of protective duty as has been proposed by the Honourable Member. I think it is a retrograde step and

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not a progressive one by which the country may advance. If he has got the courage he ought to come forward and nationalise industry, in which case we will support him. But he gives relief to those industries which put the maximum pressure on him and fills their pockets at the expense of the poor consumers. This method might have been useful 40 years ago after the last war; it is surely not true after this war. The views of the people are changing and labour is not now what it was; and people want that all profit instead of going to the industrialists should go to the State. Industrialists have no right to demand anything beyond the usual bank rate of interest and perhaps a little more; but they cannot demand 30 or 40 and 70 or 80 per cent. as they have been doing, under the system of protection given to them by the Government of India, which is quite out-of-date. The legislature cannot swallow this retrograde step and we should abolish this as soon as possible; either nationalise industries or afford some other kind of protection. No attempt has been made by Government in that direction.

Then, Sir, my Honourable friend has a large number of articles and only one Tariff Board. I do not know how one Tariff Board can look into so many articles if they at all want to do their work properly. And then every member of the Board is not an expert in everything. There should be at least one member who must be an expert in the thing so as not to be bluffed by the industrialists. I understand only one Tariff Board will look into the problem of so many articles,—my Honourable friend mentioned two hundred. Can any one imagine that this one Tariff Board will examine the cases of these two hundred things in one month and then submit their recommendations on all of them? Their examination will be cursory and their recommendations defective. We will be false to our electorate and to the consumers if we give this blank cheque to Government to impose these duties just after a cursory examination by one Tariff Board. They will have to finish the examination of one article every day. The method will be like what is done by certain examiners who examine five hundred answer papers in one day or like the judge who have five hundred cases on his file and used to hammer down half on one side and half on the other, and said, "These are admitted and these are rejected". That will be the method followed if they examine two hundred commodities which, as my Honourable friend said, they will have to look into.

The Honourable Dr. Sir M. Azizul Huque: I never said that. I said it will never be 2,000 not even two hundred. My Honourable friend was going into millions; I brought it down to two hundred.

Dr. Sir Zia Uddin Ahmad: I will accept the figure as 199. I ask him to calculate by simple arithmetic. He himself says that there will be 199 or 198 commodities which the Tariff Board will examine. He wants this for two months only and may I know how much time will they give to each commodity in order to examine it fully? It is rather unfair. It is an insult to our intelligence; it is an insult to our power

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Where is two months in this?

Dr. Sir Zia Uddin Ahmad: I understand that probably it will be reviewed when the Legislature meets again after two months, because after all it will have to be verified. Therefore, I do not understand why do you demand this power. If the Legislature is going to meet oftener, let the Tariff Board question

be laid before this Legislature and let the Government come forward with their arguments. Let us have the opportunity of examining the arguments of the Tariff Board and giving our opinion. The question which is still more important is the quantum of protection. Even if we agree that there ought to be protection, we cannot agree with regard to the quantum of protection. This requires a great deal of discussion and calculation. I have seen the calculations of Tariff Board about the quantum of protection. If they come before

me for examination, I will certainly point out the defects in that. They sit down there and say give so much for this and so much for that, and so much for *jawalihat*—fruits and chocolates. This is the way in which these things have been done. I am sorry I have not got much time, otherwise I would have really produced the tariffs in which this kind of thing has been done. I have exposed them in the past and have said time and again that the tariffs are really very faulty. Therefore I say that an opportunity must be given to us to calculate what protection would be needed, and I beseech my Honourable friend not to take too much power on himself, power which he will not be able to wield and which will expose him to criticism. The only people who will really pray for his long life and prosperity will be those capitalists who will pocket the money by the benign actions of the Government of India. I said that when this question of steel protection will come in the Tata Company will put a gold tablet

The Honourable Dr. Sir M. Azizul Huque: That was supported by the Honourable Member himself.

Dr. Sir Zia Uddin Ahmad: My Honourable friend has a poor knowledge of his own Department. He should know that I opposed this tooth and nail section by section and my Honourable friend was there. I did not support a single section, and in the end, when I found I could not help it, I kept quiet. My Honourable friend, the Leader of the House, was present at that time. I never supported this particular thing at that time too.

I request my Honourable friend, the Commerce Member, to consider these proposals once again with a serious mind. He ought not to take on himself the responsibility which is really very great. He ought to take the House into his confidence. After all, he will find that in the new life which has been created in all the countries of the world, the capitalist will not play the same role in the future as they have done in the past. Their days are finished, and now a new era and a new dawn will appear. He must also accommodate himself to new conditions; he must consider the interests of the consumers; he must consider the interests of the people at large; he should not confine himself to the interests of the capitalists.

I am not against the development of industries. On the contrary, I am all for the development of industries, but the profits should be the property of nation and not the property of certain individuals. That is what I stand for, and this is the point in which I entirely differ from my Honourable friend the Commerce Member. He thinks that it should be the property of the capitalists while I press that it should be the property of nation.

I asked the Honourable Member to change the Companies Act which he never did. We had plenty of opportunity to review and revise the whole of the Companies Act. It was promised to us in 1933 that after a period of five years the whole of the Companies Act would be revised. We waited during the war time but he did not do it. Now the war is over

Sri M. Ananthasayanam Ayyangar: Is the Honourable Member referring to the Tariff Act or the Companies Act?

Sir Cowasjee Jehangir: There is no difference; it is all the same!

Dr. Sir Zia Uddin Ahmad: In all these matters he ought to give a greater share to the labour. The old theory that the labourer is only a wage-earner and has got no place in the business has been exploded. They must be treated as business partners, and they must have their full share in the profits of the company. Now we are giving protection to these various industries in order to give them increased profits. I would like to know what portion of the profits will go to the labour. Is it not a fact that the whole of the profit will go to the capitalists and nothing will go into the pocket of the labourer. This protection will neither give any relief to the consumer, nor to the tax-payer, nor even to the labourer, but it will put all the profits into the pockets of capitalists. In the name of protection of industries, these capitalists want

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to protect themselves. There is great difference in the connotation of the words 'protection of industries'. We are all in favour of protection of industries. There is not any one in this House either on this side or that side who is opposed to the idea of development of industries in this country. The old theory that India is an agricultural country and the industries should not be developed has now been exploded and nobody is in favour of that. We want to develop our industries; we all favour that all possible steps should be taken in order that the industries may be developed. But some persons think that the development of industries means fat profits to the capitalists. This is the theory in which we beg to differ. If by the development of industries, the profit level is reduced, and the taxpayer gets relief, then we certainly are in favour of the protection of industries. If the protection of industry means the protection of the capital of the industrialists then I am against it. As it is he has enough money but he does not know where to employ it. He does not want to invest in Government securities. But he wants more profits. If this is so, then I am not in favour of the development of industry in this sense and no relief whatsoever either to the workmen or to the labourer or to the consumer or to the taxpayer will be forthcoming. If the profit comes to the Treasury of the Government, then it should be a relief to the taxpayer. If it comes to the poor people, then it will mean more prosperity to the people. If it comes to the consumer it means reduction of the purchasing power of the rupee. But nothing of the kind is contemplated. I do beseech the Honourable Member that before he asks us to support his Bill, let us know his views on this protection because the world's views have changed. At one time England was opposed to the idea of protection. They were free traders and I think England did very well before protection was introduced. They controlled the world markets and there was a curse when Sir Joseph Chamberlain introduced in England his theory of protection.

Mr. President: Order, order. So far I believe the Honourable Member wishes to point out that he is not prepared to give to the Government the power to form their own opinion as to the protection they want and in stating his reason why he is objecting to that, he has been discussing the policy of protection. Has he not sufficiently done so?

Dr. Sir Zia Uddin Ahmad: I am just finishing in a minute. I am opposed to protection itself. It is a curse to the country but if it is needed for a certain purpose, it should be exercised for the benefit of the country not for the benefit of the capitalist. That is the viewpoint which I want to press and this, my Honourable friend, the Commerce Member, has not understood. This is my view and I have pointed out that England made this mistake under the recommendation of Sir Joseph Chamberlain and I think they came to grief and now the world will be wiser if this theory of protection is left out altogether and we go back to free trade. We may levy duties for revenue. I will probably discuss this on the question of taxation. A levy between three to five per cent. all round duty may be imposed as a kind of revenue duty. But as a protection, the position is different. We have to consider that very carefully because protection is not always in the interests of the country. It is a retrograde step and we are afraid if this is repeated only a few capitalists will be benefitted. The bulk of the people will get no benefit. They will get so excited that the time may come when the labourers will burn the factories we are creating for the benefit of the people.

With these words I oppose the present Bill.

Mr. President: The House will now adjourn for Lunch.

The Assembly then adjourned for Lunch Till Half Past Two of the Clock.

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

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muham-madan Rural): There is no quorum, Sir. Government do not seem to be anxious to get on with their business, why not the House adjourn.

Sri M. Ananthasayanam Ayyangar: It is their business to see that their members are here.

Mr. President: It is not only one section of the House which is responsible for the want of quorum.

Sri R. Venkatasubba Reddiar: When official Bills are taken up the Government do not seem to be anxious to get on with them.

Mr. President: The responsibility is of the whole House, not of any particular section thereof.

Sri M. Ananthasayanam Ayyangar: Sir, I should like to say just a few words. We have had enough of discussion about this.

I do not agree with my Honourable friend Sir Zia Uddin Ahmad that we do not want protection for our industries. I am certainly in favour of nationalisation of a number of key industries in this country. But I wonder if it would be possible for the Honourable Member to pick and choose from the two hundred and odd industries which have gone before the Tariff Board or even from the industries recommended by the Planning Committee. But whether industries are nationalised or are privately owned, we want protection from foreign competition. Therefore the question of protection does not stand only in respect of private industries but there must be discriminatory protection even with respect to industries which are managed by the State or are state-owned. Therefore the question of nationalisation of industries is not quite relevant to the subject on hand.

As regards the other point which my Honourable friend raised that indiscriminate protection ought not to be given to industries, I agree with him. There is a tendency always on the part of industrialists who receive protection and grow with the aid of protection not to care for the labour under them. Also they seem to think that they are entitled to protection for any length of time and do not care for the consumers. I would like the Honourable Member to give an assurance to the House that he would go on examining the question from time to time and see that the prices that these industries charge locally are not abnormal, in which case the quantum of protection must be reduced from time to time. Also the welfare of the workers must be the foremost consideration so far as these industries are concerned. Subject to these limitations the Government must have the power to protect industries, for during the interval between two sessions the occasion may arise for Government to invoke the aid of this legislation.

I would like to impose one additional restriction or safeguard. My Honourable friend Sir Zia Uddin Ahmad as also some other Members were anxious to avoid placing unfettered power in the hands of the Government. May I suggest that before the Government takes any step on the recommendation of the Tariff Board they will consult the Advisory Committee of this Assembly for the Commerce Department. In all cases where they are in agreement with the Tariff Board and where they want to impose protective duties and thus give protection to particular industries they should first consult and take the advice of this Committee and if their views are favourable, the Government should immediately, without the intervention of the Assembly, impose those protective duties. And even in cases where they may disagree with the Tariff Board, let those cases be brought before the Assembly at its next session. I have tabled an amendment to this effect: that when the Assembly is not in session if the Government impose protective duties under the power given by this Bill when it becomes an Act their action should be confirmed by the next session of the Assembly and if during the course of the next session the Honourable Member does not bring in a Bill to confirm the step that was taken by the Government, then two months after the session of the Assembly the notification imposing the protective duties would

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lapse. Sir, I find the Honourable Member is willing to agree to that course. In addition to that I would only request him to give an assurance to the House that in all cases where he intends accepting the recommendation of the Tariff Board he would place it before the Advisory Committee of the Legislature for the Commerce Department and on their approval issue a notification. If he does that we would have achieved our object. In cases where he does not agree with the Tariff Board's recommendations he should bring them before the Assembly at the next session and explain the reasons why he would not give protection to the particular industries which have been recommended by the Tariff Board. With these observations, Sir, I support the consideration of this Bill.

The Honourable Dr. Sir M. Azizul Huque: Sir, I am grateful to the Honourable Members of the House for the generous support that has been given to me in connection with this Bill. I am particularly grateful to Mr. Gadgil, as I must say he really is the originator of the present Bill and I would unequivocally acknowledge that it was his suggestion before the Standing Committee which made me bring this legislation before this House.

We are often criticised for the protracted delay in the machinery of Government and I should like to mention this as an instance how the matter was taken up in the Department.

As my friends are probably aware, before a Bill can be brought before the House several steps have to be taken, which must take a long time. (1) To settle the main principles and outline of legislation: (2) to take the views of all Departments concerned such as Industries and Supplies, Planning, Finance, etc., and in case of any difference, come to some agreed conclusions: (3) to prepare a summary of the main principles of the Bill: (4) to circulate the summary with His Excellency's approval to the members of the Executive Council and to have their concurrence after settling differences, if any: (5) to refer it to the Legislative Department for a draft after discussion of all necessary details: (6) to examine the draft Bill finally in the Department and (7) to prepare a statement of objects and reasons and explanatory memorandum on clauses and then finally to give notice for introducing the Bill. Being a question of legislation, the Member in Charge has to be referred to at almost every stage referred to above. Inter-departmental reference and discussion and agreement must necessarily take sometime as each Department has to examine the Bill from its own point of view. An actual draft Bill can also never be too quick. No legislation can be taken up too quickly. In this case as Mr. Gadgil may remember, he made his suggestion before the Standing Finance Committee on the 16th February. This came to my notice on the 18th February. (I am not a member of the Standing Finance Committee.) I immediately took necessary steps in accordance with the procedure I have outlined to have a Bill drafted and the Bill was ready for introduction as you have seen on the 22nd March. Honourable Members will therefore realise that in a matter of importance every possible care is taken to expedite in every possible way.

After paying my tribute to Mr. Gadgil for his excellent suggestion, I now come to my friend Mr. Manu Subedar. And here I am not saying anything in contrast but only as a statement of fact. I have very great esteem and regard for Mr. Manu Subedar, and he himself knows it for his ability, zeal and devotion and for his anxiety to have a better shape of India. But since I have been here there have been two budget sessions of the Assembly including the present one, in one of which the Protection Duties Bill was passed by this House; neither during that legislation nor during the protracted discussions that we annually have during the voting of grants and during the Finance Bill debate, my friend ever suggested either in 1944 or in 1945 that we must immediately appoint a Tariff Board and a permanent one. This year he comes in all solemnity to question as to why did we not anticipate and appoint a Tariff Board before. Was it not his duty as a responsible Member of this House as an economist, as a businessman

himself, as the representative of the Indian Merchants' Chamber, to make his suggestion earlier? During Protective Duties debate or on other occasions he did not do that. Not only that, but during the Protective Duties debate of 1944 a suggestion was made by my friend Mr. Nauman to have a tariff enquiry started at that time. It was opposed by a distinguished industrialist, then a Member of the House, on the following among other grounds:—

First, nobody knows what would be the international economic position after the war is over.

Secondly, nobody knows how the trade between the various countries will be carried on.

Thirdly, it would be waste of labour in such circumstances to attempt any tariff enquiry at that stage.

Even then my friend, Mr. Manu Subedar, never came with any suggestion when this question was actually raised and industrialist opinion, as expressed in this House as well as outside, was definitely against any such step at that time.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Did not the Indian Merchants' Chamber make a suggestion?

The Honourable Dr. Sir M. Azizul Huque: I am not dealing with the opinions of the Chambers of Commerce. I will come to that. I am dealing with the opinion expressed in the House. Possibly, my friend, a distinguished economist as he is, was then busily engaged in making economic studies of the unconscionable profits of those who were piling up their fortunes in the black market though I plead complete ignorance as to the distance from which he was so studying. Sir, he is a critic and critics who will not help to create, unlike Mr. Gadgil whose criticism had great value and elements of constructive criticism. He will follow a new technique in his massive speeches, the technique of finding out maggots and bacteria in a disinfected article, the technique of creating suspicion, distrust and unreality in a realistic world, the technique of creating complexity and confusion in simple matters, the technique of quoting scriptures without believing a word of it and finally the technique of a world only full of evils, the Government of India being the worst devil that could be possibly found. I am not certain whether it was really thinking of such an evil world that the classic poet said once:

*Makshikah Vrinamichchhanti,
Madhumichchhanti Satpadah,
Sajjanah Gunamichchhanti,
Doshamichchhanti Pamarah.*

(Flies seek the sores, the bees seek for honey. The virtuous look to virtues, the knaves go in for faults.)

This probably will be my last speech as a Member of the Executive Council as I am happy that a new state of affairs will soon come.

Shri Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): Or are you despondent?

The Honourable Dr. Sir M. Azizul Huque: No, I am rather very glad, and I make no secret of it that the Government of India Members, and each and every one of them, will be most happy without any reservation if the present state of affairs is at an end. I say that not because of any theory or design, but because of the experience that we have in all governmental activities.

I have been criticized as to why we had not anticipated some of these things. We had been in office at a most critical period of India's economic and strategic history, with the enemy across her borders, with cruel bombs falling on innocent men, women and children, with the gravest crisis in her economic life, with acute shortage of cloth when millions of yards had gone underground to force up prices to a fantastic level. And we had to work in the interests of the country. I know with my bitter experience the limitations under which we had to work. And it was no crime on our part if under such circumstances we came to do our utmost in the interest of my country and in the interest of my countrymen. For

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myself, at every stage where I have worked, I have tried to anticipate events. As the Member in charge of not merely Commerce but of Food, Industries, Civil Supplies, Industrial Research and Industrial Planning, Honourable Members will find that at every stage I tried to anticipate the future. Almost immediately when I took charge of these portfolios I was confronted with the most desperate food situation with a bare skeleton organization and without much of the administrative personnel either in the Provinces or in the Centre, amidst difficulties of transport and without much support and even sympathy. With an intransigence unknown in the economic history of India, I had to grapple with the gravest food problem. I was just able to settle all the differences and plan out the final basic programme on which the food supplies began to move to the deficit areas. But even in the midst of this I anticipated the future. I would only today say, which I have not done for the last two or three years, that I made arrangements about the future plan of food to be got ready. After many discussions in the Department a Committee was appointed with Sir Theodore Gregory as the Chairman which recommended the future of the foodgrains policy. It was only after the recommendations were available that I handed over my charge, and that Policy Committee's Report is the basis of all future food policy that has been followed ever since that date.

As the Member in charge of Industries and Civil Supplies which I held till a few months back, I had to take up the problems of economic control of a number of commodities including textiles. Honourable Members will realize that it was a stage in which inflation had reached a most dangerous point and price of textiles at that time shot up to even more than double of what it is today. When there was a cloth famine in the country, I hope it will not be forgotten, that there were nine months of total production of India in hidden stocks with the traders; when people were dying for want of medicine, drugs and medicines were underground to enable the traders to charge black market prices. These economic controls were the first of their kind in this country, and whereas in other countries economic controls had the advantage of experience and administrative personnel, we had to make a start and a beginning. The extent to which we were able to tackle this problem will only be known when the passions and controversies of today will die out. But, anticipating the future, we took steps against hoarding and profiteering; we took also steps for the establishment of several national laboratories and a Committee of distinguished men was appointed to prepare a plan of industrial research especially in co-ordination with Universities. Anticipating the future, we also tried to send abroad a mission of most distinguished industrialists much early, it is well known why we could not send them till a much later date. We tried to collect data from industrialists, but they were not available. As soon as the war was over, as a consequence of the measures which we took up, we followed them up with the question of the appointment of a Tariff Board. Having regard to the economic conditions of the world and even in India we thought it would be an advantage if instead of a permanent Tariff Board, a Tariff Board for the time being, appropriate to the post-war needs and conditions of the country is immediately set up for investigating the immediate claims of industries which had been started or developed in war-time with a view to consider the question of assistance and protection during the transition period. In fact, we had begun quite early. It was on the 23rd April 1945, just about a year before, that a press communique was issued inviting industries to address their claims to us. We received a number of applications. There were certain industries in addition, the start of which was considered essential by the Government of India under conditions created by the war. At the time this was done, Government announced that such specified industries promoted with their direct encouragement during war-time might feel assured that if they are conducted on sound lines they would be protected by such measures as may be devised against foreign competition. Having taken these preliminary steps, the selection of a personnel was one of the most difficult matters. Sir, it is matter of conviction with me—it may be right or wrong—

that it is far better to have no Tariff or any other Board, temporary or permanent than a Board which will not command the confidence of all. I had therefore to take every step to see that the Board was such that it commands the confidence of the country. I could not select men without consideration; I could not pick up men from the market of India especially the contaminated market. I had to select men of distinction, ability and judgment, who could speak with authority and I had to find men who were otherwise engaged in most responsible work in different parts of India. I would like to take this opportunity of thanking the Chairman and the Members of the Tariff Board that they were ultimately able to accept my invitation. Sir, it is well known that the Chairman, Sir Shanmukham Chetty, had to come as Chairman of the Tariff Board, at considerable financial sacrifice. Dr. H. L. De was the head of the Department of Economics of the University of Dacca. Dr. Nazir Ahmed, is an eminent scientist of international reputation in charge of the Indian Cotton Institute. I had to offer to a few others who would not or could not accept or come. Thus it took a little time; but there was no delay whatsoever in pursuing the matter.

I am asked, why not a permanent Tariff Board? Why is not a permanent Tariff Board appointed? For myself, I fail to see how the value and character of a tariff inquiry, specially by the board as now constituted, is in any way jeopardised because the board is not a permanent board. They are only in the nature of an immediate inquiry; till the post-war needs and conditions are well-known things are bound to be in a fluid or dynamic condition for a year or two. More industries are likely to be started, and we must be able to know where Indian industries stand and where India stands before any permanent Tariff Board is appointed. We must know a little bit also of world trends and tendencies before we appoint a permanent Tariff Board. But does it in any way mean that those gentlemen who have been appointed and have agreed to take up the work, men most distinguished in the public life of this country, men of great eminence in industry, in economics, and in science will not do their duties as ably or as properly simply because the Board is not a permanent Board? I consider it to be a slur on these most eminent men of India that they will not be able to make a proper inquiry simply because their term of office is not permanent. In the past similar inquiries have been made. Those Boards were also of a temporary character and they made recommendations which have revolutionised the industries of this country. I am therefore convinced in my own mind that the argument that there should be a permanent Tariff Board is merely an argument to criticise us, without looking into the substance of the steps that have been taken. I am sure if I had actually appointed a permanent Tariff Board my friend would have equally come forward to criticise me saying "Why do you appoint a permanent tariff board at a time when the whole of India's future is under discussion and when it is well-known that others may take your place very soon?" That would have been the criticism again.

Once again, the question has been asked "Do you expect any dumping in the future?" They say the world is shattered and therefore there is no danger whatsoever, at least in the immediate future, of any dumping. History has always given us hard and bitter lessons; but it seems there are some who will never learn. May I bring back one incident? After the last German war in 1914—18, there was similar complacency in the world attitude that the political power, economic resources and the military strength of Germany had ceased for a considerable time to come and that it would be many years before Germany could reconstruct or rehabilitate herself. That was the complacent attitude of the time. May I ask how many years it took to rebuild Germany? History has repeatedly shown that it does not take long either in nature or in society to rebuild, reconstruct or to gain fresh strength if a nation has the determined will behind it.

There is one point of view which has been quite strongly pressed, namely, the consumers' interests; they say that the consumers' interests demand that the only problem today is to get more supplies; that the problem of today is

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not restriction of supply but to get more supplies. I am afraid it is taking too narrow a view of things. No country can rise industrially or economically without some sacrifice. The present generation must sacrifice for the future. A selfish parent can never rear up a good child, and narrow-visioned today cannot plan for tomorrow. All tariff protection imposes sacrifice, and nations and countries cannot be built purely on motives of immediate profits or dividends or gains. That may be a typical business attitude or the attitude which is prevalent in the speculation market; but it should not be forgotten that some insurance is needed to build up the future. You insure your car against accident but if you think that there had been no accident in the past, that you have steered your car with great caution and that therefore you need not insure it, the time may come when you may have to pay a heavy penalty if such a contingency actually comes. Therefore some sacrifice is needed by the immediate consumers.

Let me here refer to the case of the sugar industry in England; and that will be my reply to Sir Zia Uddin Ahmad on some of the points which I will refer to later; incidentally this will point out how apart from the principles enunciated by the Fiscal Commission, which are very sound principles, certain other factors have also to be taken into consideration in the world of today. England had no economic advantage in the production of sugar: they could not possibly attain any economic efficiency in the production of sugar; the prices of English sugar cannot possibly stand against the low prices of the highly organised sugar industries of some countries; and it was well-known when the sugar industry was started that British made sugar could never stand competition against organised sugar industries in other countries. There was practically no cultivation of sugar beet in 1924. The last European war made the whole of England realise that something was necessary to build up the agricultural strength of the country. By 1934 as a result of the different measures taken, England produced sugar to the extent of 600,000 tons against practically nothing in 1924; and this was done by subsidies to the sugar industry, which ultimately meant that the taxpayers had to pay for it. An inquiry committee was appointed in 1934 to consider whether those subsidies should continue. This committee recommended the complete cessation of all subsidies, but the recommendation was not accepted by Government. The then Minister of Agriculture in 1936, in proposing measures for reorganising the sugar industry and state assistance made a very important statement, which I hope some of the Honourable Members of the House would remember. He said that Government had rejected the recommendation of the Committee. The Committee looked on sugar alone, but Government has to look at agriculture and employment as a whole. In the meantime, between 1924-25 and 1937, which is the latest date for which I have got figures, the Government of Great Britain spent £40 millions in direct subsidies and £18 millions in granting revenue abatement.

May I say in the same words "Please do not look at sugar, or wheat or steel or iron or any industry which may be recommended by the Tariff Board". Let us look to the broad position of agriculture in this country; let us look to the necessity of employing a large number of men in industry, so that the pressure on the soil may be released to a certain extent, so that there can be a balance between industry and agriculture; and in doing so, let us not forget the words of the same Honourable Minister whom I have just quoted who, in a discussion in connection with this debate in the House of Commons, stated: every industry required protection against world competition. If that was so in 1934-35 for a country like England, how much more strong is the argument today for India, particularly when there is likelihood of a great export drive from almost all countries of the world in the next few years?

Sir, we have not forgotten—I must make it quite clear in spite of what I have said, that we have not forgotten that the consumers have their rights also,

and in our terms of reference to Tariff Board it has been specifically noted that in making its recommendation the Board will give due weight to the interests of the consumers in the light of the prevailing conditions and the probable cost of any protection or assistance to the community so that there may not be an excessive burden placed on the consuming public . . .

Diwan Chaman Lall: What about the workers?

The Honourable Dr. Sir M. Azizul Huque: I am coming to that a little later.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): What happens to cottage industries?

The Honourable Dr. Sir M. Azizul Huque: I will reply to that. It was stated in the House that nobody knows how long this inquiry will last and therefore more Boards should be appointed. That is not correct. We have specially emphasized that the Board should complete inquiries with all possible expedition and submit a report as soon as possible after their investigation of the claim of each industry is concluded. It was not till the end of November last that the Board could be finally constituted. I hope that Honourable Members will realise that it takes at least some time before a committee of that character

3 P. M. can settle the necessary preliminaries, that is, have the necessary administrative staff, find out a suitable office, find suitable accommodation for the members and their establishment which now-a-days is extremely difficult, settle the questionnaires, consult industrial opinion and investigate the nature of the claims. It is barely four months when the Board was appointed and I am glad to say that within this short time they have finished their report on five or six industries. The reports are in the press and I expect they will be in the hands of the Government by the end of this month. Further they are almost on the point of concluding their deliberations in number of other industries.

Finally whatever may be the Government decision, this matter is bound to come up before the legislature at some time or other and it will be the privilege of this House to look after the interests of the consumers if Government is found not to have given due regard to it.

Then, Sir, certain other issues have been raised. I admit they are most vital issues but sometimes I feel, having regard to the present framework of the Government of the country, that they are a bit extraneous to this legislature. I have been told that I should look up to the nationalization of some of the key industries, that I should look to living conditions and wage standards of these industries. I admit the utmost importance of all these issues. By faith and conviction I believe in all of them and I might make it quite clear that I am of the same temperament and ideal as my friend Diwan Chaman Lall, Professor Ranga or Mr. Gadgil and I have absolutely nothing in common with my friend Seth Govind Das, who with his fortune amassed at Jubbulpore finds Jubbulpore as the centre of the whole world or with Mr. Lallubhai who will find nothing wrong in traders, capitalists and black marketeers in spite of his talking of Russia on every occasion where he knows perfectly well he won't exist for 24 hours. I would therefore much like, in agreement with my friend Diwan Chaman Lall, to do much to shatter and to do much to construct. Sometimes I feel with the Poet:

"Ah Love! could thou and I with Fate conspire,
To grasp this sorry scheme of things entire,
Would not we shatter it to bits—and then,
Remould it, nearer to the heart's desire!"

Yes, may I ask what shall I nationalize if there are no industries in the country? Nationalization may be a great asset to the country's economy; it might turn out to be a great danger if, instead of being taken on its economic level, it becomes the sport of politics. Sometimes I feel that my friends who oppose these measures, criticize day after day Government and Government

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officials in every possible way in their interrogations, speeches and suggestions, must have in their heart of hearts supreme faith in Government, because they feel that once a Government takes charge of an industry everything will be perfect and things will be all right. I am not quite so certain of that. Cases are not unknown where nationalization has resulted in deterioration of services. One has also to avoid the danger of political issues being injected into an industrial concern or political patronage being exercised when nationalization is introduced. Industry which requires high technical skill and efficiency does not always admit certain principles which are accepted canons in Governments, namely, promotions of officers by the usual standards of promotion in State service. The most senior man may be much below the level of a junior man. A private concern can easily supersede the senior to appoint a junior. A misfit can be easily weeded out, but it is easy for a man getting appointed in Government service but it is most difficult to get him out. Thus with all my faith in nationalization, I sometimes feel as to whether it would not be wise to introduce nationalization not just at the present stage but a little later. I would certainly not hesitate to do so if I had the feeling that the whole legislature wants such measures. Unfortunately, barring Professor Ranga and a few others, there has not been any decisive opinion expressed in the House. Certainly Sir Zia Uddin has expressed his opinion in that sense but I am not certain if many of us would at best like only the industries of others to be nationalized but not of the first person, singular number. I would like to nationalize really on an extensive national scale. If I want to nationalize, I would not touch at one point only, so that the capitalist at one corner would be touched and not at the other.

Secondly, I am quite aware that something should be done in the matter of wages and living conditions of the workers. Let me say here that I know it by experience I have gathered within the last few years. I am aware of the agonies of industrialization. I have seen myself how in some cases capitalists have built up their fortunes, giving low wages, providing only sub-human residential quarters for the workers and giving no thought to their welfare or living conditions. My friend the Honourable the Labour Member has within recent months tried to bring legislation after legislation to rectify some of these. I have known industries which are still employing children below a certain age. Quite a good deal has been done by the Labour Member to bring about better conditions among the workers. I agree that these are matters which would be and should be looked into as soon as possible but I am not so certain if these matters can form a subject matter of an enquiry by a Tariff Board, which we are talking about. But even if they can be, it would obviously take a very long time before we can find out any remedy and this would frustrate all our objects to avoid dumping from outside before an inquiry of this character may be finished along with a tariff inquiry. At the same time I do not wish to shirk my responsibility. I do feel that something should be done in this matter. I am proposing to consult my Honourable friend, the Labour Member—I have already had some consultation with him—to find out as to whether a suitable machinery may not be devised which will simultaneously look into these questions. I am grateful to my friend Mr. Chaman Lal for having brought this matter to my notice. I have also been discussing this matter; if any industry wants protection and the consumers have to pay, the country has a right to know what is being done in the matter of living conditions and wages for the labourers, quite apart from the other factories.

I shall also take up the question of consumers in protected industries in consultation with Departments concerned. I agree that probably the time has come in India, with reference to the future industries as well as the industries which have existed in the past when we should make a comprehensive review as to what should be our attitude, if at any time we are again asked for grant of protection, in the matter of wages and living standards of the workmen and also in the matter of prices. This price question

I might say has very strongly come to my notice during wartime and I felt that probably the price which has been charged requires a little bit looking into, particularly with reference to those industries in which some protection or other has been given. The question has been asked whether there should be more Boards in order to speed up investigations. On this point, I propose to consult the Chairman of the Tariff Board from the point of view of volume of work which they have and which they are likely to have, and after discussing with him, I hope to have this matter settled. Then the question has been asked by my Honourable friend Mr. Gwilt as to what will happen if the legislature does not sanction the tariff imposed by executive order. Importers have notice of the possibility of the legislature turning down any duty imposed by executive order. The same position arises whenever the duty is reduced or enhanced and in either case, it comes to an end. To give an illustration what would have been the position if the Bill was passed by this House on Friday last was not passed by the House. It will mean exactly the same position. I hope my Honourable friend will appreciate that.

There is just a little confusion regarding the scope of the tariff enquiry which is being held by the present Tariff Board. It is clear from the terms of reference that there are two types of industries which come within its scope, first the industries which have been started at the instance of Government, secondly, industries which have developed in war-time. Sir, those industries which were in existence before the war and which developed in war-time, also come within the purview of the Tariff Board enquiry. Therefore, it is not a fact that it is only confined to such industries as are started during the war period. It also refers to other industries which were started before the war and which had been developed later.

Then, Sir, my Honourable friend made suggestions about Standing Committee. I am prepared to give him this assurance that I will consult the Standing Committee for their advice, if I am here, before I think of passing an executive order. I will go one step further and I would say that if I am personally satisfied that the Tariff Board recommendations are of such a character that an industry can wait for a few months, till the legislature can meet, then I will certainly not pass the executive orders, but wait till the legislature actually meets. Then Sir, I am also quite prepared to give this assurance that all cases of rejections of the recommendations which are made by the Tariff Board will in due time be brought to the notice of this House. That, I think, will be an easy matter, and I know perfectly well that there are so many Honourable Members of the House, who, if at any time there is any default on the part of the Government, will always be too alert to immediately bring this question up for being answered on the floor of the House.

Now, Sir, I come to my Honourable friend Dr. Sir Ziauddin Ahmad, who I find is slowly waking up. He asked me why I proposed the Protective Tariff Continuation Bill in 1944. Sir, my Honourable friend is a distinguished mathematician. If I remember aright, once some 37 or 38 years ago, I remember to have read in the newspapers that my Honourable friend was the recipient of Sir Isaac Newton scholarship. I think I am correct. I might compare him, in the same way in matters outside mathematics, with Sir Isaac Newton. It is well known how Sir Isaac had to find two openings for the cat and kitten. My Honourable friend will always try to find some opening for kitten when there is actually an opening both for the cat and the kitten. Well, Sir, he asked me why did I do it in 1944? I might say that at that time when I did it, he was a Member of this House and a very much active Member but he never said a word then as to why I was doing it.

Dr. Sir Zia Uddin Ahmad: I was not present in the House. It was done in my absence.

The Honourable Dr. Sir M. Azizul Huque: If my Honourable friend were a lawyer he would have known that ignorance of law is no excuse. But anyway, my Honourable friend knows the reason why it had to be done. Because

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the question of protection at that time was hardly one of any importance; no import was coming into this country, the only import that was coming was wheat and in the matter of wheat, the Government remitted all import duties as it is going to be in future and as it has been for many years past. Therefore, it was practically nothing more than of academic interest, and the only question at issue was as to whether we should not have the same power which we can exercise in case any contingency arises. It is in these circumstances that I brought that Bill, and I think the most serious charge which he has brought against me will not find scrutiny if he will consider these matters. He sometimes referred to what is in the best interest of the consumers, and he charged us that we often look to the interest of the capitalists and not to the interest of the consumers. Here again, I should say that the case of wheat perfectly illustrates as to how the Government did not look to the interests of the capitalists at all but only to the interest of the growers of this country and the consumers at large.

Dr. Sir Zia Uddin Ahmad: That is just what you did not do.

The Honourable Dr. Sir M. Azizul Huque: I will not make any dogmatic assertion, but I will say that if the wheat duty was not there, and wheat was allowed to get freely into India at the time when the wheat duty was imposed, well, the price which is already too low would have come further down without this protective duty. Whether it would have come down or not is a matter which we might settle elsewhere.

An Honourable Member: By a duel.

The Honourable Dr. Sir M. Azizul Huque: Unfortunately the medieval days are past, otherwise, it could have been settled in other ways.

Sri M. Ananthasayanam Ayyangar: Our friend Dr. Sir Zia Uddin Ahmad is too old for that.

The Honourable Dr. Sir M. Azizul Huque: Even now don't you think there might be a danger? Supposing the price level today of all the food commodities is somewhere near about the level at which it is, is it not well-known that the world parity of price of these is considerably below that and it is bound to be more so if there is no protection. Don't you think that the interests of the growers and the consumers as a whole will be terribly jeopardised if there was no right of protection? In one respect according to the logical conclusion of Dr. Sir Ziauddin Ahmad, this Government must be a very good Government, because within a period of fifteen years he had only three fiscal shocks, that is from 1931 to 1946.

Sri M. Ananthasayanam Ayyangar: At his age, one is enough.

The Honourable Dr. Sir M. Azizul Huque: It seems that old age can withstand any amount of shocks. Sir, my Honourable friend referred to the recommendations of the Fiscal Commission. I am giving him this assurance that so far as the recommendations of the Fiscal Commission are concerned, they all along formed the background of all steps that have been taken by the Government in the matter of imposition of protective duties and will continue to be so. In other words, these considerations will always be with the Government, but as I say that in the evolution of world's history, we have gone much beyond where we were in 1921, and apart from these considerations the other considerations which have been referred to will also be taken into account before any question of protection is considered. Sir, I have already given an example to illustrate the value of protection to the consumers. Sir, living in the calm atmosphere today when both the war against Japan and against Germany have fortunately been over, and with the success of the Allied Powers, it is possible to argue thus, but what would have been the position of India in the matter of both sugar and cloth during war-time, if there was not this protection granted to these two industries? Does my Honourable friend know—as I have said, I hold no brief whatsoever for the capitalists, I know

more about capitalists by actual facts than what my Honourable friend can hope to know, I have no sympathy with capitalists—but does my Honourable friend know that at least some credit is due to those people who had to carry on their concerns almost at the marginal level with very little of profit, with much loss, particularly in the textile industry before this war? They saved India at least to the extent of 4,500 million yards nearly and they have been able to supply large quantities of cloth to the country as a whole. Where would sugar have been if the sugar industry had not been protected? It is as a result of not only protection but also as a result of the control of the economic commodities that the sugar prices throughout the war had been kept near about a fixed level, a level which even in war conditions could have been argued as too low. Does my Honourable friend know that right during the war in 1918-19 and a little later the price of sugar was high? I will give another example which concerns the country as a whole. Once as a member of the Banking Inquiry Committee I went to investigate a matter of tea finance and in connection with that I went to the district of Rangpur to make an inquiry into the question of tobacco finance. Incidentally, I hope my Honourable friend Prof. Ranga will not be hurt if I say that Rangpur is the biggest tobacco producing district in the whole of India. There I came to know that an Indian industry was started to prepare cigars and cigarettes from local tobacco. As soon as that industry was started the price of a packet of cigarettes which was about four annas immediately was brought down to an anna, and within a few months that industry was killed and was not able to revive itself until many years later. And as soon as that industry went out the price of a packet again went up to four annas.

Diwan Chaman Lall: That was the Imperial Tobacco Company.

The Honourable Dr. Sir M. Azizul Huque: I will not mention which company it was. I am only saying that the price again went up to four annas. And it was a tragedy.

Diwan Chaman Lall: How is my Honourable friend going to remedy that state of affairs by imposing duties? It is a matter of internal competition by the Imperial Tobacco Company.

The Honourable Dr. Sir M. Azizul Huque: That is a separate question. But I am saying that in the long run it is an advantage to have an industry protected so that the price charged may not go up to fantastic levels.

My Honourable friend asked me whether the price would go up or come down. As I said, the price which the consumers have ultimately to pay in the long run is the price to be considered.

Dr. Sir Zia Uddin Ahmad: Which means the next world.

The Honourable Dr. Sir M. Azizul Huque: I do not know what will be my fate or the Honourable Member's fate in the next world and so I will not say anything about it; but so long as I am in this world I will say that it is the price which will range over a fair period of time that really matters. One of the things which has been started in this country at Government intervention is caustic soda. It is well-known that caustic soda can come into this country at very cheap prices; and if it comes at those cheap prices and the people in the trade are wiped out, we would be doing an injury to the country at large. We will get an assured supply at cheap prices but in the long run we would hurt the interests of the country. I will say only this, therefore, that the entire attitude of Government in the matter of protection is certainly not in the interest of capitalists but in the interest of the country as a whole, and the consumers form a very large part of it. I have no hesitation in saying that in view of the world attitude today and the factors that have come into being Government will specially look into this question if it is found that this question has not been looked into in the past. I think the time has now come when in assessing whether protection should be given we should not only consider the factors which have come out as a result of the

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Fiscal Commission report but also take steps to find out what we can do in the interests of the consumers as a whole, the working classes and the industry. And I hope that with this explanation the House will accept the Bill in the present form. I have said that it is merely an empowering legislation, which gives power to Government to pass it by executive order for a short period of time. And when responsible public opinion grows in the country and is ventilated more and more, there is no danger of the kind which my Honourable friend fears.

Dr. Sir Zia Uddin Ahmad: Then why is it proposed to take away the power of the legislature?

The Honourable Dr. Sir M. Azizul Huque: I am not doing it. This session ends on the 18th April and I do not know when the House will meet next. In the meantime during the interim period if we want some power and Government consider it necessary to impose it we will do it by executive order. If Government find they can wait, they will not do it. But we will do it if necessary and as soon as the House meets we will bring in the proper legislation and get the sanction.

Dr. Sir Zia Uddin Ahmad: Then why not have it that as soon as the House meets the additional duty which has been imposed will automatically stop?

The Honourable Dr. Sir M. Azizul Huque: That is an agreed amendment which I am going to accept.

Mr. President: The question is:—

"That the Bill to enable the immediate imposition of protective duties of customs on imported goods be taken into consideration."

The motion was adopted.

Pundit Thakur Das Bhargava (Ambala Division: Non-Muhammadian): Sir, I move:

"That in sub-clause (1) of clause 2 of the Bill—

(i) after the word 'is' where it first occurs and before the words 'of opinion', the words 'after consultation with the Standing Committee for Commerce' be inserted; and

(ii) after the word 'may', the words 'and if such recommendation is concurred in by a resolution of the Standing Committee for Commerce shall' be inserted."

In moving this amendment I have a twofold object. First of all I wish that as soon as a recommendation is made by the Tariff Board, the Central Government should take the Standing Committee for Commerce into confidence, convene a meeting and know their mind. Secondly, if that Standing Committee is of the view that protection is necessary and agrees with the recommendation, the Central Government will have no power to refuse protection to the industry. In case the Standing Committee does not agree, Government can still grant protection if they so desire.

That is the sum total of my proposal as made in this amendment. I consider that the Honourable the Commerce Member has made out a very good case for certain powers being given to the Central Government and the Standing Committee for Commerce, I for one do not agree with those who say that protection is unnecessary or that it should be hedged round with such restrictions as to become useless in providing conditions conducive to the growth of industry. I heard with some pain the speech of my Honourable friend Sir Zia Uddin Ahmad: I have read the Fiscal Commissioner's report and I have also with me the report of the Industrial Commission of 1916-18. All those recommendations were to the effect that if certain conditions were fulfilled protection must be given.

Mr. President: Order. order. The motion for consideration having been agreed to, which means that the principle of protection is accepted, the question of desirability or otherwise of protection should not be discussed again. The Honourable Member should speak on the amendment.

Pundit Thakur Das Bhargava: Then I take it that the only question is as regards the machinery for dealing with a situation which might arise when the House does not sit in session. With regard to that my complaint is not that Government have given protection in undesirable cases. My own fear is that Government are not doing enough and will not give the protection which the industry shall require and they are not keen enough to protect the industries of this country. I know the past record of this Government; I know how this Government has been behaving in the past and I am extremely apprehensive that in a case where the interests of India will clash with the interests of Great Britain this Government will be unable to do the needful. The Honourable the Commerce Member has just given the example of sugar in Great Britain and how a great amount of money was spent in Great Britain even when sugar could be had cheaper from other countries, because sugar is an essential article of subsistence. May I know from the Honourable the Commerce Member how he would behave if there was an invasion of India? Have we got aeroplanes and other weapons of warfare here? Have we got heavy industries here? We know from the past record of this Government that even during the war-time when there was opportunity to build heavy industries and there was an occasion to do much for the development of industries in this country, they did not do anything worth the name. Some-time back a committee (Humphrey's Committee) was appointed which reported that locomotives could be produced in this country and a start could be made within 15 to 18 months of the Report. The Report was made in 1940, and during these seven years no effort has been made in that direction. I am very much apprehensive that in regard to certain other industries also, where British interest will clash with the interests of India, full efforts will not be made by this Government to protect the industry, and therefore I have proposed in this amendment that where the recommendations of the Tariff Board are in accord with the Resolution of the Standing Committee for Commerce, the Government should not be given powers to veto down the recommendation.

It will be said that this Standing Committee for Commerce is only an advisory committee. We find on page 96 of the Manual of Business:

"The following subjects will be laid before the Standing Committees:

(ii) Reports of Committees and Commissioner (not including unpublished reports of departmental committees) on which the Indian Legislature is not adequately represented."

From the assurance given by the Honourable the Commerce Member it is now clear that the Standing Committee for Commerce will be consulted in matters like these. But then this House has got its own responsibility in the matter. In questions relating to protection this House has to look to the interests of the consumers, the producers as well as the capitalists and the industry itself, and the House should not divest itself of its responsibility in the matter only by providing that the Standing Committee for Commerce may be consulted. The House will be well advised in insisting that the powers of this House be delegated for this interim period to the Standing Committee for Commerce, and its recommendations will have a binding character instead of an advisory character. It may be said that in the constitution of any other country an advisory body of this nature will not be found to possess such powers, but I may say that we have got an irresponsible executive. In no other country do we find an executive of this nature, an executive which has no guts to stand against the pressure of British interests. We have seen in the past and our experience of past hundred years so far as the Government of India is concerned shows that where there is a clash in our interests and the interests of Great Britain, this executive has always decided in favour of Great Britain.

Babu Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): Hear, hear!

The Honourable Sir Archibald Rowland (Finance Member): In favour of Bihar!

Pundit Thakur Das Bhargava: I have not understood the joke. I do not know whether it is a joke at all, but I can submit one thing: We know how the Government of India acted before the appointment of the Fiscal Commission and the Industrial Commission. The doctrine of *laissez-faire* was adopted. All our industries were ruined by the Government of India. My Honourable friend mentioned caustic soda. Caustic soda can be had in this country for the mere collection, for the mere asking. If you had not taxed salt, and allowed free manufacture of the parent substance salt you would have got many industries in this country, and this country would have been in the position of exporting rather than importing. Even afterwards, I remember, when the protection was given to steel industry, to sugar industry and to cloth industry, steps were taken to see that the interests of Great Britain were protected at all times. For instance, when protection was extended to cloth, I remember that a recommendation was got made that as in regard to fine cloth, the machinery could not be had in England, and fine cloth could not be manufactured in India. What is the present position? If any industrialist takes into its head today to establish some national industry which would compete with the industry in England, there are many obstacles in the way. First of all, he shall have to apply to the Government of India in regard to capital issue, and he will be told in reply that in 'national interest' he is not allowed to go in for such industry. Then with regard to machinery Government has the right and power to see whether the right type of machinery can become available to him or not. He cannot get machinery from any other country except those in sterling area. Even today such hurdles are there in India that nobody can do anything in the matter. In fact I have never found the industries in this country in such a helpless situation as they are in today. Nothing can be done except through Government and the Government sit tight on every matter in which the interests of Great Britain are involved. I can understand that the Honourable the Commerce Member will do his very best in regard to Indian industries in which there is no clash with the British interests, but I am very doubtful if he will be able to do the needful in the case which I have mentioned just now. Therefore, I submit that the House will not be discharging its duty properly if it does not insist that in regard to industries in respect of which there is concurrence between the recommendations of the Tariff Board and the Standing Committee for Commerce, the necessary protection should be given, and the Government of India should not be given powers to veto down the recommendation. In all other cases it depends on the view of the Central Government whether they give protection or not. After all it is a matter of months only because as soon as the House sits we will see whether protection is to be given and all the matters will come before this House. For this interim period I wish that in regard to these matters there may be no discretion with the Central Government to deny protection to any industry which is wanted by the country.

Mr. President: Amendment moved:

"That in Sub-clause (1) of Clause 2 of the Bill:—

(i) after the word 'is' where it first occurs, and before the words, 'of opinion' the words 'after consultation with the Standing Committee for Commerce' be inserted; and

(ii) after the word 'may', the words 'and if such recommendation is concurred in by a resolution of the Standing Committee for Commerce shall' be inserted."

The Honourable Dr. Sir M. Azisul Huque: I have no hesitation in giving an assurance that such matters will be placed before the Standing Committee for Commerce, but I certainly feel that an amendment of this character is one which should not be on the Statute Book. I give this assurance that every case will be placed before the Standing Committee for Commerce for their advice, and I do hope that on that assurance my Honourable friend will find reasons not to press this amendment.

Pundit Thakur Das Bhargava: Sir, I beg leave to withdraw the amendment. The amendment was, by leave of the Assembly withdrawn.

Mr. President: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Sri M. Ananthasayanam Ayyangar: Sir, I beg to move:

(1) "That in clause 3 of the Bill, for the words 'As soon as may be after' the words 'During the session of the Central Legislature next following the date of' be substituted." and

(2) "That in clause 3 of the Bill, the following Proviso be added, namely:—

'Provided that where for any reason a Bill as aforesaid is not so introduced, the notification shall cease to have effect on the expiry of two months from the termination of the said session'."

This is not an amendment of any importance except that it makes it obligatory on the Government to introduce a measure ratifying the protection already given during the off season as soon as the next session is held. In case that matter is not brought within two months after the close of the session of the Assembly, the notification should lapse *ipso facto*.

The Honourable Dr. Sir M. Azizul Huque: I am prepared to accept that.

Mr. President: I shall now put the two amendments before the House.

Amendments moved:

(1) "That in clause 3 of the Bill, for the words 'As soon as may be after' the words 'During the session of the Central Legislature next following the date of' be substituted." and

(2) "That in clause 3 of the Bill, the following Proviso be added, namely:—

'Provided that where for any reason a Bill as aforesaid is not so introduced, the notification shall cease to have effect on the expiry of two months from the termination of the said session'."

Dr. Sir Zia Uddin Ahmad: I followed the oration of the Honourable the Commerce Member. I wish that that oration had been delivered to an audience of 5,000 persons. But it was not the kind of speech I would very much like to hear. We had two issues before us. The first was that of protection—whether that should be given for the benefit of the capitalist or should it be given for the benefit of the people.

Mr. President: Order, order. Is the Honourable Member attempting to speak on the policy? He has to speak on the amendment.

Dr. Sir Zia Uddin Ahmad: I am talking on the amendments. I am finished. That was discussed at great length. He avoided the real issue which we objected to. He is taking away from us the power of legislation though my friend's amendments have placed some restriction. But the Executive should never have power of taxation without previously consulting the Legislature. This is an issue over which I have had a fight and my friend said nothing about it. This power of the Legislature is like a sacred trust and he is now wanting us to agree to his proposal and cut our throat. I say, how could we possibly give away the power we possess of imposing taxation, whether as a protective duty or anything else, to the Executive because in one case it may be all right but in the other case it may not be. Remember the story of the fowl. The fowl died and the owner began to weep. There was a gathering of people and they enquired what had happened. They said why so much crying over a fowl which cost only eight annas? The owner replied that it was not so much the fowl that was lost, but the thought that it may be a member of the family to-morrow. Likewise here. Once you have given away the power of taxation, tomorrow the Finance Member will come and say

The Honourable Sir Archibald Rowlands: That is a foul slander on me.

Dr. Sir Zia Uddin Ahmad: The real issue is that he is wanting us to sign our death warrant and to give the Executive power of taxation which the Legislature alone should have. This is just omitting the real issue and going on talking

[Dr. Sir Zia Uddin Ahmad]

all kinds of irrelevance. This is the work of newspapers and editors and correspondents. But I thought in the House we talked of actual facts. Of course in the case of these newspaper writers (I am not talking of these gentlemen here), I have heard a good deal of the Aligarh affair but the real thing is that the shopkeeper shot the customer with two shots. This was not mentioned by any newspaper... This is the real issue. I think we should lay down certain conditions under which we can give this power. My friend has said that this should be operative for a certain time, that is two months after the next meeting of the Assembly. But the next meeting may not be for another year. In that case it may operate for a year. Secondly, nothing should be done without consultation with some representative of the legislative body, that is the Commerce Committee. If this Committee agrees with the recommendation of the Tariff Board, then it may be imposed for a temporary period and should be ratified as soon as the Assembly sits.

Mr. Leslie Gwilt (Bombay: European): I do not wish to oppose this amendment but I do want to reiterate the point I made during the first reading. I agree with my friend, Sir Zia Uddin Ahmad that if we pass this Bill what we are doing is to allow a very considerable amount of authority to pass out of the hands of the Legislature into the hands of Government. The Bill as it stands permits the Government to impose a tariff on the recommendation of the Tariff Board but without the sanction of the legislature until such time as a Bill has been presented before the House to give sanction to the action Government have taken. I think that is bad enough. Now what the amendment seeks to do is to permit a state of affair where a Bill may never come before the House at all, and I would reiterate the point that I made on the first reading and that is this--and perhaps I could illustrate it a little more clearly by giving an example, let us say, of kerosene lamps. Supposing a manufacturer puts a case to the Tariff Board that he can manufacture kerosene lamps in this country at a rate cheaper than they can be imported: The Tariff Board then, Sir, imposes a tariff of possibly 100 per cent. It may well be that an importer has a large shipment of lamps on the way. He pays the duty. He then tries to sell those lamps and the chances are that when the prospective consumer finds that they are substantially more expensive than lamps he has been in the habit of buying in the past, he will hold off from making a purchase for a time. There is a session of the Assembly and a Bill as envisaged in this Bill does not come before the Assembly. Two months after the Assembly is over for some reason or other and as envisaged in this amendment, the duty is withdrawn. In the meantime and through another importer there may have been another shipment of lamps coming in the country. The first importer will have paid a very heavy rate of duty: the second importer will not have paid that rate of duty. The first importer thus will be very heavily penalised, unless Government are going to hand him back the duty and I take it that they are not going to do so. I feel therefore that it is obligatory on Government, if they are going to exercise the powers they are to be given under this Bill, to bring their case subsequently to the legislature, because I feel that the legislature is the only body that can have a check on the Tariff Board. I do not wish to be misunderstood as criticising the Tariff Board. They are a perfectly reasonable and responsible body of men but on the other hand, if they recommend a duty and Government exercise their powers under this Bill. I think the legislature should have the opportunity of knowing the reason why.

Mr. Abdur Rahman Siddiqi (Calcutta and Suburbs: Muhammadan Urban): Mr. President. I had no intention of intervening in this debate but having been brought up in the traditions of the counterveiling excise duties on textiles I welcome the word protection whenever I hear it. The duty of the legislature should be to lay down the policy and it should be the duty of the Executive to

carry out that policy. What I have not been able to understand is why should the Honourable the Commerce Member have surrendered so badly to criticism and given in at every turn. There is the Tariff Board and there is the Standing Committee of the Commerce Department. They will come into contact and probably clash with each other at every turn. The point I would like to impress upon my Indian colleagues in this House is that if what people say is likely to come true, then the Committee that will control the Tariff Board as well as the Executive will be of a representative character and not of the type of irresponsible Government that we have today. Therefore barring cases of the exceptional type to which reference was made in the speech of the Honourable Member who preceded me I am inclined to the view that we should welcome anything that helps our industry to receive protection provided it does not interfere with the international market and therefore the concessions already given by the Honourable the Commerce Member should help us to assist him in doing the best he can. I therefore am happy to support the amendment, which the Honourable Member to my right has moved. There is nothing in it which goes against the promise or the assurance which the Honourable Member has already given that in two months as soon as the Assembly meets again, the action taken by the Government would receive legal sanction.

Mr. Manu Subedar: Sir, I want to refer to one or two misconceptions on this issue. The whole question is that having decided as we have done in accepting the principle of the Bill that protection should be given not in the interest of any particular section, but in the interest of the country as a whole, the important issue is that protection is like medicine to a patient. Having decided that the patient should survive or be kept alive, it is very important that the medicine should reach the patient before it is too late and from that point of view I feel that the position taken by Government in clause 3 was quite reasonable, except for constitutional purism and except for extra caution that the Executive Government do not abuse the powers which are placed with them.

Though my Honourable friend the Commerce Member showered a few flowers on me, I did not find myself in such a serious disagreement with most of his speech as to justify the flowers which he handed me. But I do feel that if protection is decided upon, it is not because it helps the capitalists as my friend Dr. Zia Uddin Ahmad repeatedly says but because it keeps the industry alive, because it keeps employment going, because it produces commodities which are necessary for security reasons in this country and in some cases because it is only under those conditions that these commodities could be produced, in case the foreign supply of it is cut off for any reason. It is therefore not one particular issue, all the interests are concerned and I take it, as the Honourable the Commerce Member read out in the references which he quoted, reference to the Tariff Board and general references, that it is not a single specific issue which will be considered by them. It will certainly not be the question of dividends to the industry. Which industry approaches the Tariff Board? Not one which has

Mr. President: I am afraid the Honourable Member is going into the whole question of protection.

Mr. Manu Subedar: I am on the issue of timely help being given to the industry. It is the question of timely help to which I will keep the issue more restricted

Mr. President: The issue in the present clause and the amendment is that the legislature must have control. The other issue which the Honourable Member is trying to raise relates to clause 2. That has no concern with this clause.

Mr. Manu Subedar: Clause 2 is referred to in this section and the Bill as a whole does involve the giving of timely assistance. But I will try to confine myself to the very narrow issue of this section.

Mr. President: That is right.

Mr. Manu Subedar: I was saying that the medicine should reach the patient in time to keep him alive. Whatever your motive may be in keeping him alive, the medicine should reach him in time and therefore this section is perfectly in order but my friend is improving on it and I would like to support him.

I would deal with only one point which fell from my friend Mr. Gwilt, *vis.*, the position of the importer. I do not say that the importer also is not one section of the community, one whose interests should not be considered when all other interests are being considered simultaneously. But I do say that an importer takes the risks of his trade. If after an importer imports his goods the tariff is increased, he makes a profit on his previous import. But if the tariff is diminished after he has imported he loses on his goods. This is the normal risk attaching to the import trade and I do not see any method by which the legislature can provide for meeting contingencies of this kind, when the whole issue lies between the time of one meeting of a legislature and another. The issue is not much longer and so I do not see any means by which the legislature can provide to deal with, specific issues affecting individual importers or importers whose shipments are on the seas. Therefore I feel that the clause which we have got is in order and the amendment which is made to it just imposes that degree of consultation with the Standing Committee of this House which I consider necessary.

Sir, I support the amendment.

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

The Honourable Dr. Sir M. Azisul Huque: I have only to say this that I have no objection to accept the amendment if the House desires it. But if my Honourable friend looks to the Section itself he will find that a statutory mandatory duty is being put upon the Government, and I cannot conceive of any Government, even under existing conditions, failing to discharge that duty which is mandatory under the statute. The duty is that:

"As soon as may be after the issue of a notification under sub-section (1) of section 2, there *shall*, . . . be introduced in the Central Legislature."

And there is no alternative. They must do it. If any Government does not do it, it is a matter which can also be adequately dealt with even under the present constitution. This Bill proposes to impose the executive
4 P. M. action binding. It is only up to the state that a session can meet that this is required.

As far as the first amendment is concerned, "As soon as may be after" is an ordinary legal phraseology in general terms. My Honourable friend wants instead: "During the whole session of the Legislature next following the date of". I have no objection to it. But as I read and interpret it, it is wholly unnecessary. I still hope that my Honourable friend will not press the amendment in view of the explanation that Government have absolutely no intention of flouting the Legislature, that Government propose at every stage to bring up the matter. And the fact that I have brought this Bill at the instance of a suggestion made in the Standing Committee by the other side ought to be enough to show that we are anxious to do our best in the matter.

Mr. Gwilt's point has been met by Mr. Manu Subedar quite ably.

I have to reply to the last point. I am sorry I cannot reply to Sir Zia Uddin's very businesslike and relevant speech. But if he were here I would have said to him:

"Would some power giftie give us
To see ourselves as others see us"

As I said, I have no objection to accept the amendment if my Honourable friend presses for it.

Sri M. Ananthasayanam Ayyangar: I do, and I request my Honourable friend to accept it.

Mr. Deputy President: The question is:

"That in clause 3 of the Bill, for the words 'As soon as may be after', the words 'During the session of the Central Legislature next following the date of' be substituted."

The motion was adopted.

Mr. Deputy President: I have to put the other amendment. The question is:

(2) "That in clause 3 of the Bill, the following Proviso be added, namely:—

'Provided that where for any reason a Bill as aforesaid is not so introduced, the notification shall cease to have effect on the expiry of two months from the termination of the said session'."

The motion was adopted.

Mr. Deputy President: The question is:

"That Clause 3 as amended stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Mr. Manu Subedar: With reference to Clause 4, may I ask the Honourable the Commerce Member to explain sub-section (2) which is not at all clear. It runs:

"Such rules may prescribe the conditions subject to which any goods shall be deemed to be produced or manufactured in a particular country for the purposes of this Act."

What is the nature of these rules which will be made?

The Honourable Dr. Sir M. Azizul Huque: If my Honourable friend will see Clause 2 he will find:

"The Central Government may, by notification, in the official Gazette, impose on any goods, produced or manufactured in any country outside India and imported into British India."

Therefore it is necessary to get that power under Clause 4 by which this rule may be given effect to.

Mr. Manu Subedar: Then, Sir, I want to speak on it.

Mr. Deputy President: Mr. Manu Subedar.

Mr. Manu Subedar: I quite understand the difficulty that goods may be imported into India from one country. But they may not be goods actually prepared there. They may be just assembled there and they may be coming from a particular country or a particular direction, but the real origin may be different. They may be mis-branded or mis-named and I can imagine many circumstances in which it may be necessary for the Government of this country to act and to make necessary rules. I want to know from the Honourable the Commerce Member whether it is contingencies of this kind which he has in mind or whether there are others.

The Honourable Dr. Sir M. Azizul Huque: I think a power like this is really put in to deal with any exigency that may arise in the course of action. If I find—as far as I can read the section of the law—that at one stage goods imported from country 'A' actually come from country 'B', there will be the power under the rule-making clause to deal with it because it is in fact a fraud.

Mr. Manu Subedar: Will my Honourable friend also have power to deal with certain type of goods being dumped in this country at a price which he does not consider satisfactory? Because, the rule-making power, as I see, is a general power, and if it is a general power I do not object to it, but I only want the power to be exercised timely.

The Honourable Dr. Sir M. Azizul Huque: On that point I am not able to speak clearly till I have that matter examined.

Dr. Sir Zia Uddin Ahmad: One question is not quite clear to me. What would be the relations of the goods produced in Indian States and brought to British India? Will they be treated as if they were manufactured in British

[Dr. Sir Zia Uddin Ahmad]

India, or will they be treated as if they were manufactured outside British India and the customs duty collected? This relation between the Indian States and British India is a very difficult relation as far as customs duties are concerned. We have seen a number of cases of goods belonging to Indian States being smuggled and brought to British India and no satisfactory solution has yet been obtained. I would like to know how this will operate with regard to the transfer of goods from Indian States to British India and *vice versa*.

The Honourable Dr. Sir M. Azizul Huque: Here also it is very difficult for me to speak clearly without a detailed examination of the point. I can quite visualize a case in which a man starts a factory in an Indian State, does not pay any income-tax, employs children, takes other dubious steps and yet comes to British India and competes with the Indian market. But, without further examination I cannot say anything on that. I will have that point looked into.

Mr. Deputy President: I may point out to Honourable Members that in the last one or two days I have been allowing this procedure of cross-questions on the Bills. One Honourable Member gets up, then he has to reply. Then, another Honourable Member gets up, and then he has to reply. This is not really the proper procedure. In the interest of having the Bill and its provisions fully thrashed out I have given full latitude, but I think this shall not be followed by the Honourable Members. If Honourable Members make their speeches, then the Government Member has to reply, and then closure—no more speeches after that.

The question is:

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Dr. Sir M. Azizul Huque: I move:

"That the Bill, as amended, be passed."

I am thankful for the response which I got from the different sections of the House. I also thank very much Sir Zia Uddin Ahmad for giving me instruction as to what a speech should be, namely, businesslike, methodical and not in the fourth dimension of space. I shall conclude with this: I think my friend Dr. Sir Zia Uddin Ahmad should also remember a few lines of the Scotch poet—

"Would some power the giffie give us,
To see ourselves as others see us!"

Mr. Deputy President: Motion moved:

"That the Bill, as amended, be passed."

Mr. Manu Subedar: Sir, I would like to complete that point which the Honourable Leader of the House said on the third clause was not quite relevant. I was on the point with regard to the protection, in order to disabuse the general idea that protection is asked for by those industries which are extremely prosperous and which pay high dividends. I want to inquire whether industries coming to the Tariff Board are concerns which have been paying 5 or 10 or 20 per cent dividends, or whether they are as a rule those which have already lost a little and who have a very serious apprehension that they will come to more serious loss. What is the effect of this more serious loss? That the industry will be liquidated, that the concern will stop producing, because if producing means more loss you cannot go on producing; and if that happens not only the capital invested in it is lost, but the employment of the workmen who are concerned with it is gone, and the nucleus of trained labour is all dissipated and when the country wants those goods again they are in difficulties. In fact, no more appropriate example could have been given than the one which the Honourable Commerce Member gave with regard to cigarettes, when the Scissors people

brought it down to one anna a packet, and in the course of one year killed the factory in Rungpore, the district from which I think my friend hails

The Honourable Dr. Sir M. Azizul Huque: No; I am sorry; I do not hail from Rangpore.

Mr. Manu Subedar: Anyway, from the Rangpore district whose tobacco is so well known—I was told that the bulk of the Burma cheroots (of which I was very fond) were made from the Rangpore tobacco—the tobacco went to Burma and they made the Burma cheroots. Anyway the whole point is this: the Honourable Commerce Member explained it, but it seems to be necessary to say it over and over again—the whole point is that the keeping alive of certain industries in this country and the preventing of their going under and closing down is an objective of public policy which is fixed, not in the interests of any particular section, but in the interests of all. If that was not so, the situation would have been very different. I do not say that for that reason when a Tariff Board examines it, they should not balance all the considerations. I do not say all the interests should not be represented; I do not say that a fair wage clause should not be put into the arrangement when protection is offered to any particular industry. But let us consider this: does this country wish to remain hewers of wood and drawers of water? Do you want industry to produce goods, the want of which you have felt during the war time by the foreign supplies having been cut off completely? Do you want to keep as a matter of security some elementary industries in this country, or do you want all the new concerns and the new industries which have grown up during and through the demand of war, to go under and that we should resume the original position by which we import the bulk of our requirements and we grow raw materials and export them? Is that the conception of this country's future which any set of people in this House have, or is the other conception which we have now realised, that the most important object is not so much production but maximum employment? Do we want the largest number of people to have their self-respect and to have the reward for their labour and do we want to create scope for all the millions who are not at present employed or who are semi-employed? And if we want to do this, then a certain amount of rapid industrialisation is what is indicated, at all events, in order to enable us to produce even for the handicrafts all those tools, all the hand machines and all the other things which only factories can produce. After that we can add to the handicrafts of the people; we can add to the earnings of the village artisans who help their crafts, and generally see that there is a well balanced plan by which side by side with factories the largest number of the rural population which is unemployed or under-employed at present gets work and gets what is more, the wages and gets what is most important of all, the self-respect which comes from the reward of their own labour which is given to them. If we are seeking these opportunities, then our efforts should be to have a well-balanced plan involving the protection of such efforts as have grown up in this country. The great tragedy of this country is that we were a very highly skilled people at one time. We are a country largely of unskilled population now

The Honourable Dr. Sir M. Azizul Huque: Question.

Mr. Manu Subedar: Millions in rural areas are unskilled; and the task is to change these millions of unskilled persons into skilled persons, to change as quickly as possible as large a number as possible, and to have a general and an all embracing plan in which factory type of production in industries of the type which we have already developed, forms a very important part. Therefore, I say that it is high time that we drop some of the old slogans with regard to this matter: every time protection is mentioned, our European friends will come up with the consumers' interest; every time the consumer is mentioned, they come up with the prices issue; every time something else is mentioned they come up with some other set issue. All this has been known to us. We are finding them out: and I trust that this country is no longer going to be sent from

[Mr. Manu Subedar]

pillar to post and going to have vague ideas of what it is doing, not being quite sure what it is doing. Let us be quite certain what we are about and in that light, I hope the plans of the Government are being developed and if they are not developed now, I am confident, that as soon as the Government changes, plans will be developed; and once those plans are developed, it will all go according to that schedule, namely, the maximum of production in this country increasing the national income, and the maximum amount of employment. Therefore I feel that while the powers sought in this Bill are correct, the misapprehensions and this Government's propaganda with regard to their protective policy and with regard to the comments on that protective policy which have come from several parts of the House and outside—for propaganda in this matter has not been quite so successful. I trust the Honourable Commerce Member will take occasions to explain the policy as he did indeed on this occasion, in reply to the debate on the second reading. Sir, I support the Bill.

Dr. Sir Zia Uddin Ahmad: Sir, during the debate, three different issues were raised. The first is whether India should be industrialised or should remain a country producing raw materials. There is only one answer to this question and that is that India should be industrialised. There is no difference of opinion on that.

The second thing is whether the development of industrialisation should be within high tariff walls. Here we have a difference of opinion. It is not necessary to have very high tariff walls for the development of industries. There are better methods of doing it. As my friend, Mr. Manu Subedar pointed out, we must keep in mind the maximum amount of employment and also not raising the prices for the consumers. These are the two points that we have to keep in mind.

But the third issue on account of which I object to this particular Bill and which has been very tacitly acquiesced in by my friends to the right is this. I do not wish to hand over the power of taxation, which is an exclusive right of the legislature, to the executive. This is the thing to which I objected and I will continue to object; and of course I do not want to attribute any motives; but I cannot understand how my friends on the right have accepted this principle, that the power of levying protective duties should be handed over to the Government. I understand that the Tariff Board as pointed out by the Honourable Member is a very good Tariff Board. We have absolute confidence in the Tariff Board. But we cannot give away our power which we enjoy. Today it is a small Bill. What happens tomorrow we do not know. Therefore this particular power we should not give, at least I am not prepared to give, under any condition.

Sri M. Ananthasayanam Ayyangar: This Bill does not empower the Government for all time to come. It restricts the scope of the operation till the 31st day of March 1949—only three years and not more. Certainly we are in favour of the principle that powers of taxation ought not to be given away to the executive. That is why we have hemmed in this power with a restriction. After all the powers that they exercise will not be for more than six months at the most. Six months will be the maximum amount of interval. Though tariffs have been provided in the various schedules power is given to the Government to decide from time to time what the value of the goods that come in are. It is also provided in one of these sections of the Tariff Act that if some other country tries to dump its goods into this country and sell it below the market price, as a result of the subsidy it gets, then the tariff values can be increased, on which the tariff can be imposed. Such power has been given from time to time to the executive and it is not doing much out of the way if we clothe the executive with this power. In the exceptional circumstances of the case, we have got to see that our industries are protected.

I would like the Honourable Member to give me information about the glass industry. It has been repeatedly requesting the Government to protect it. It is one of the items which have gone to the Tariff Board and which the Tariff Board is considering. 95 per cent of the raw materials are available in this country. One or two items such as soda ash alone are not produced in this country and it has to be brought from other countries. Unfortunately the previous members did not take the same view as my Honourable friend with respect to the protection of industries in this country. They very often set one member against another. If one talked of the industry, they would ask—what about the consumer and others. In this way, they have been playing one off against the other. If the industry is protected and it progresses, then the country as a whole progresses and it will be a question for the future as to whether a particular industry should be nationalised or not.

As regards clause 4, I have some doubts. That requires some clarification. It says:

"In particular and without prejudice to the generality of the foregoing power, such rules may prescribe the conditions subject to which any goods shall be deemed to be produced or manufactured in a particular country for the purposes of this Act."

We are talking only of goods manufactured or produced in this country for which protection is given. We are not making a difference between one country and another in relation to the goods coming into this country from foreign countries. It is not a question of Imperial Preference. Why this kind of language is used there, I am not able to see. If in the case of an industry like the glass industry where 95 per cent of the raw materials are procurable in this country and only 5 per cent is not available, if the Tariff Board makes a recommendation that it should be protected, is it open to the Government under the rules to say—this does not require protection. Why should it be necessary for the Government to make rules to find out whether a particular industry deserves protection or not, if the Tariff Board makes a recommendation for protection. In either case, it is not happily worded. I therefore seek some enlightenment from the Honourable Member on this point.

The Honourable Dr. Sir Muhammad Asizul Huque: I do not propose to take much time over this. My friend has raised a question which I dealt with. I am afraid it will not be possible to give a very detailed interpretation until I have the actual facts but I shall certainly consult him privately and discuss this matter with him.

As regards my friend Dr. Zia Uddin, I would only say this. He has stuck to his theory. Many theories, particularly political theories, have done great harm, because they are taken irrespective of the realities and we have seen in the political history of this country how political theories which are very sound in books are not applicable to social life and I think the sooner my friend leaves his theory and comes to face the realities, it will be better. The doctrine of the majority, which is one of the theories in politics, has been found to be wholly impracticable in dealing with democracies of today.

While I agree with everything that my friend Mr. Manu Subedar has said, I do not agree with him that this country is full of unskilled workers. India is one of the countries where skilled labour, particularly in the cottage industries, is probably unique in the whole history of economics. There is no country in the world where you will find such artistic finish as is done by the cottage workers? Can you say that they are unskilled men? They may be unskilled from the point of view of the modern machine. From the point of view of real skill shown in art, industry and culture, the cottage worker still stands as the supreme example of what skill can do in industries. I am supported in this by the fact that throughout the war the Bevin boys who went to England, with absolutely no training whatever, picked up the most accurate knowledge of the machines within the quickest possible time, I know that, and I have seen quite a lot of their work. Anyway even in industries you will find how quickly a man is able

[Dr. Sir M. Azizul Huque]

to pick up the technique of the thing. Therefore I will certainly not allow my friend to go unchallenged on that point. India has got millions of unskilled labourers, as every country must have. There are also millions of skilled workmen in this country. Sometimes I was amazed to see how machines are handled by unskilled workers. I am grateful to the Honourable Members of this House for the reception that this Bill has got.

Diwan Chaman Lal: Is the Honourable Member prepared to give an assurance to the House that he will consider the quantum of protective duty necessary in the case of any particular industry where protection is necessary, before he proceeds to give that protection.

The Honourable Dr. Sir M. Azizul Huque: I have said that all these factors must be relevant to an issue as to whether protection should be given.

Mr. Deputy President: The reply has already been given by the Honourable Member. If any member wants clarification of any point, he can put a question.

Mr. Abdur Rahman Siddiqi: I should like to have clarification from the Honourable the Commerce Member on the point of the rules to be framed under clause 4(2). What is it that is in his mind, when he is asking us to pass this into law? He has reassured the Honourable Member to my right that he will meet him in the sanctum of his office and explain what it means. I demand an explanation in this House as to what is in the mind of the Government of India when it states this point. Are the rules going to be framed for the protection of countries other than India?

The Honourable Dr. Sir M. Azizul Huque: It is not my idea to have a secret talk with my friend Mr. Ayyangar in regard to the point that he has raised. What I meant was that he has raised a point which cannot be settled without going into details and I told him that I will have a discussion with him on that point. If there is any other member who wants to discuss it with me, I shall only be too glad to discuss it with him also. But if there is any other Honourable Member who wants elucidation, I will be glad to discuss it with him. The intention is to make Rules having regard to the provisions in section 2 which I already explained.

Mr. Abdur Rahman Siddiqi: If the explanation comes after the law has been passed, will he bring forward an amending Bill?

The Honourable Dr. Sir M. Azizul Huque: Certainly, if necessary.

Mr. Deputy President: The question is:

"That the Bill as amended be passed."

The motion was adopted.

INDIAN SOLDIERS (LITIGATION) AMENDMENT BILL

Mr. P. Mason (Government of India: Nominated Official): Sir, I move: "That the Bill further to amend the Indian Soldiers (Litigation) Act, 1925, be taken into consideration."

Mr. Deputy President this is a very small Bill and I hope it will not take up very much of the time of the House. I think, however I should explain the history of the case and explain why it is that I have to come now to the House for an amendment of the Act. The original Act was passed in 1918 and it contained section 11 which provided that any time spent by a soldier out of the country either overseas or in a special or war area, such time should be excluded from the period of limitation in any suit which he wished to institute on his return on any cause of action which happened while he was away and which prejudiced his right. As originally drafted that section was absolutely straightforward and clear and it provided that the period should be excluded in respect of any kind of suit. In the years immediately after 1918, however when soldiers were coming back from overseas, it became apparent that this was not always working fairly. Cases arose in which soldiers came back and questioned a sale

which had been made in perfectly good faith and in which the buyer in perfectly good faith had built a shop or a house on the land. If the soldier then came back and exercised his right of pre-emption, he caused considerable loss to the buyer. The Punjab Government was particularly affected as also the North-West Frontier Province, and they suggested that suits regarding pre-emption should be excluded from the operation of this section. This was carried out by the proviso which now stands as section 11 which was passed in 1922. I think in the years after 1922, there was very little occasion for the use of this Act at all, because there were no soldiers coming back during that period and its operation was never questioned again until the present war. It was then found that although this proviso did operate justly in the case of land near towns or habitations in respect of which people wanted to put up shops it operated rather unjustly in respect of agricultural land because the right of pre-emption in respect of agricultural land is a very valuable privilege which a soldier values very highly and he did find sometimes when he came back from overseas that the land to which he had a right to pre-emption had been sold. Accordingly it was provided in 1944 that there should be an exception to the proviso permitting the Central Government to make orders which would provide that the original section would operate in certain areas, that is to say, in certain areas, the soldier would have the right of pre-emption without taking into account as limitation the period which he had spent overseas. That is the position at present. But we want to make the position a little more clear. I must agree that the whole process of this Act and the varied amendments to it have been one of trial and error, but I think we have now got it right. What we want to provide now is this period of limitation shall be excluded in the case of agricultural land and in the case of direct descendants of the persons selling, but we do not want that it should operate in respect of non-agricultural land or in the case of distant relations and it is merely to put that into effect that this Bill has been drafted. It has been pointed out to me by one of my Honourable friends opposite that the Bill as drafted leaves a very wide latitude and it is suggested that we should be a little more precise in drafting. We have between us drafted an amendment which I hope he will move and which I am prepared to accept. Soldiers are now coming back from overseas and they are coming back in very large numbers at a rapidly increasing rate and they are anxious to get back quickly and get themselves settled quickly. I hope the House will not refer this Bill to the Select Committee. It would mean a long delay and I hope the House will agree to pass this Bill into law. Sir, I move.

Mr. Deputy President: The question is:

"That the Bill further to amend the Indian Soldiers (Litigation) Act, 1925, be taken into consideration."

The motion was adopted.

Mr. Deputy President: Clause 2.

Sri R. Venkatasubba Reddiar (South Arcot *cum* Chingleput: Non-Muhamadan Rural): Sir, I move:

"That for clause 2 of the Bill, the following be substituted:

"2. *Amendment of section 11, Act IV of 1925.*—In the proviso to section 11 of the Indian Soldiers (Litigation) Act, 1925, for the words "except in such areas and subject to such modifications if any", the words "except where the said right accrues in such circumstances, and is in respect of agricultural property situated in any such area", shall be substituted."

Sir, I have read the Statement of Objects and Reasons of the Bill. I was not able to understand what was meant by the amendment which the Government proposed. It did not cover all that they wanted to. As intended in the Statement of Objects and Reasons, I suggested that in the place of the amendment proposed by the Government, the amendment which I moved just now should be substituted so that agricultural lands also would be included. This amendment which I have moved fits in with the Statement of Objects and Reasons as given in the Bill. I move that this amendment be adopted.

Mr. Deputy President: Amendment moved:

"That for clause 2 of the Bill, the following be substituted:

2. Amendment of section 11, Act IV of 1925.—In the proviso to section 11 of the Indian soldiers (Litigation) Act, 1925, for the words "except in such areas, and subject to such modifications, if any", the words "except where the said right accrues in such circumstances, and is in respect of agricultural property situated in any such area", shall be substituted."

Pundit Thakurdas Bhargava (Ambala Division: Non-Muhammadian): Sir, so far as the amendment is concerned, the word 'agricultural property' appears in the amendment. In the Punjab Pre-emption law, the two words that appear are, 'land' or 'village immoveable property'. The word 'agricultural property' does not find a place there. Now, Sir, 'agricultural property' may mean or may not include 'village immoveable property'. I can consider circumstances in which agricultural property may have a meaning different from the one envisaged by the use of word land and village immoveable property under the Punjab Pre-emption law. In my humble submission, the word 'agricultural property' will give rise to many disputes. When a soldier comes back and brings a suit of pre-emption in respect of village immoveable property he is likely to be met with the plea that village immoveable property is not agricultural property. His house, his enclosure, etc., are not agricultural property in the sense that they cannot be used for agricultural purposes. So my submission is that these two words have a special meaning within the purview of the Punjab Pre-emption Act; and in order to avoid litigation it is better that the words "land and village immoveable property" be substituted for the words "agricultural property". I submit that this substitution should be made.

Sir, I move:

"That in the amendment as moved by Mr. Reddiar for the words 'in respect of agricultural property', the words 'in respect of agricultural land and village immoveable property' be substituted."

Mr. Deputy President: The amendment has not been given to me.

I have got to put it to the House, because I understand the other one is an agreed amendment.

Amendment moved:

"That in the amendment as moved by Mr. Reddiar for the words 'in respect of agricultural property', the words 'in respect of agricultural land and village immoveable property' be substituted."

Diwan Chaman Lal (West Punjab: Non-Muhammadian): Sir, there is no such thing as agricultural property in the Pre-emption Act. The Pre-emption Act talks about two things; it talks about agricultural land and village immoveable property. Therefore the amendment as tabled does not cover the point that we want to place before the House.

Mr. P. Mason: Sir, this amendment is acceptable.

Mr. Deputy President: Then I will put it to the House.

The question is:

"That in the amendment as moved by Mr. Reddiar for the words 'in respect of agricultural property', the words 'in respect of agricultural land and village immoveable property' be substituted."

The motion was adopted.

Mr. Deputy President: Now the amendment as amended is open to discussion.

Sri M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadian Rural): Sir, I am in favour of this enlargement of the scope of the Limitation Act being made for soldiers who come back so that they may get back lands or file suits for them. But I feel that agricultural land is a provincial subject. With regard to soldiers' litigation, of course, we are entitled to legislate here. But when such litigation of soldiers appertains to agricultural land is it open to us to make this enactment or is this legislation merely ineffective?

Mr. P. Mason: It is central legislation because it concerns a central subject. But it has been undertaken in consultation with the provinces; and furthermore, this proposal provides that the provisions of the Exception and the proviso would only operate where the Provincial Government asked the Central Government to publish a notification.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Was it at the instance of the Punjab Government that this Bill was brought because they found difficulty and an Ordinance was proclaimed during the war?

Mr. P. Mason: Yes, Sir. Both the Punjab and the North-West Frontier Province were the main Provinces concerned and they were very anxious that this should be done before the soldiers started coming back.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I am glad the amendment has been accepted. There is another point that I want to mention and that is that this right of pre-emption is allowed here only to lineal descendants, but in the villages it is also given to other people.

Mr. P. Mason: It is not only given to lineal descendants but also to agnates. We have left that rather vague and it is covered in the Bill by the words "in such circumstances" because it will vary to some extent from province to province, and each province will lay down its own rules. But in the Punjab the intention is that it should cover agnates as well as lineal descendants.

Sardar Mangal Singh: I should like to know whether in the Punjab the right of pre-emption is given to those holding land in the same *patti*.

Mr. P. Mason: No, Sir; that is intended to be excluded.

Diwan Chaman Lal: Is it not a fact that this right is given to the soldier? And if the soldier is entitled to the right of pre-emption he gets it whether he is an agnate or a lineal descendant or in any other capacity? I take it that it is only confined to soldiers.

Mr. P. Mason: As far as we are concerned, yes.

Sardar Mangal Singh: That is my point. If he has a right

Mr. Deputy President: The Honourable Member has made his point clear.

The question is:

"That for clause 2 of the Bill, the following be substituted:

"2. *Amendment of section 11, Act IV of 1925.*—In the proviso to section 11 of the Indian Soldiers (Litigation) Act, 1925, for the words "except in such areas, and subject to such modifications", if any, the words "except where the said right accrues in such circumstances, and is in respect of agricultural land and village immoveable property situated in any such area", shall be substituted."

The motion was adopted.

Mr. Deputy President: The question is:

"That clause 2 as amended, stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Mr. P. Mason: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Deputy President: Motion moved:

"That the Bill, as amended, be passed."

Pundit Thakur Das Bhargava: Sir, when I read this Bill and the Statement of Objects and Reasons I understood that the intention was only to limit the right in cases where the pre-emptor came as an agnate. I however find that, so far as the pre-emption law in the Punjab is concerned, a person has got the right to pre-empt in many other cases also. For instance, if occupancy rights are sold the proprietor as such can pre-empt occupancy rights and *vice versa*. Similarly if there is a daughter's son he in his capacity as daughter's son can

[Pundit Thakurdas Bhargava]

come and claim pre-emption of land which his grandfather has sold, though he is not an agnate in that sense. As the provision in the Bill stands, I take it that the full rights of pre-emption provided in the statute have been secured to a soldier and not only his right as an agnate. If that be so, I am quite content that the soldier has got his full right and not a restricted right in his capacity as an agnate only.

Sardar Sampuran Singh (West Punjab: Sikh): As I understand the Bill, in my opinion the right of pre-emption, which ordinarily arises on account of the neighbourhood of land or owning any land in the same village or *patti*, has not been considered in this Bill, for the simple reason perhaps that no legislation is proposed for the purpose of stopping the business of selling or buying of lands altogether. If all kinds of pre-emptions could be made after the soldiers come back from the war, I think the whole business concerning land will be stopped. The special rights have been created only for the agnates and descendants from the concern ancestor. I think the rights of the cognates and the descendants have been specially safeguarded and that is the only purpose of this Bill so far as I understand it. The Bill does not seem to extend the other points which have been raised. If the Members are very keen they would have proposed an amendment, but they have not done so. The purpose of the Bill seems to be very clear, and I think it should be passed.

Mr. P. Mason: The intention, as I take it, of my Honourable friend, Mr. Thakur Das, is that this Bill should permit any soldier the right of pre-emption and permit him if he has been overseas to exercise the same right in exactly the same way as he would had he not been out of the country. That is also Sardar Mangal Singh's contention. I entirely agree however with what Sardar Sampuran Singh has just said. That has been illustrated by experience. That is the reason why in 1922 the Punjab Government and the North-West Frontier Government both objected to the unfettered exercise of this right of exclusion for limitation in the case of pre-emption and why they suggested that suits regarding pre-emption should be excluded from the operation of this Section. As Sardar Sampuran Singh has pointed out, a feeling of uncertainty in all transactions regarding land was created. The intention is to limit that uncertainty by excluding those people who merely happen to own land in the same *patti* and limiting it to descendants and agnates. That is the intention, Sir, and that is the purpose of the words 'in such circumstances'.

Mr. Deputy President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

Shri Sri Prakasa (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): Sir, it is now five minutes to five, and I suggest that the House may now adjourn. We may take up the next Bill tomorrow which is an important one.

The Honourable Dewan Bahadur Sri A. Ramaswami Mudaliar (Leader of the House): I agree.

Mr. Deputy President: As the House is unanimous, I adjourn the House.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 9th April, 1946.