

THE BIHAR LEGISLATIVE ASSEMBLY DEBATES.

The 29th April, 1938.

Proceedings of the Bihar Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly Chamber at Patna on Friday, the 29th April, 1938, at 11 A.M., the Hon'ble the Speaker, Mr. Ram Dayalu Sinha, in the Chair.

UNSTARRED QUESTIONS AND ANSWERS.

AFFAIRS OF THE SARAN DISTRICT BOARD.

264. Mr. BIRESH DUTTA SINHA*: Will Government be pleased to state—

(a) whether their attention has been drawn to an editorial comment, published in a local daily dated the 2nd April 1938, under the heading "Saran District Board Affairs";

(b) whether it is a fact that the authorities of the district board of Saran are delaying matters and avoiding the proposed appointment of a Special Officer ;

(c) whether it is a fact that the affairs of the said district board are going from bad to worse as days pass by ;

(d) when the last general election of the said district board took place ;

(e) whether the term of office of the present district board has expired ; if so, when ;

(f) if the answer to the first part of clause (e) be in the affirmative, the reasons why the next fresh general election is not being held ;

(g) whether they propose to take any action to set right the matter of the said district board ; if so, what and when ?

Mr. BINODANAND JHA: (a) The answer is in the affirmative.

(b) and (c) Government have no definite official information.

* In the absence of the questioner, the answer was given at the request of Mr. Dwarkanath Tiwari.

that we have the greatest pleasure in taking into confidence the hon'ble members on any important scheme which this Government will be launching forth, and we not only want to take them into confidence, but we expect every co-operation and intelligent advice and help, so far as this particular scheme is concerned. Unfortunately, there is very little material ready at this stage which could be offered except the expert knowledge of Sir William Stampe combined with the knowledge of our own special officer who is investigating. I may just for the information of the hon'ble members mention that Sir William Stampe came down and made enquiries about the possible sources of supply, and he found that one possible source was the Himalayan rivers, the other the Vindhya rivers and thirdly the coal supply area. So far as rivers coming from the Vindhya range are concerned, for example Sone, they are sandy; their bed is filled up with sands and the little falls that the canals supply are not suitable for generating electric energy. Therefore, the first central place selected is somewhere near Nawadah, and the falls may be investigated. These two things have been taken as a modest scheme to begin with, and just as we proceed and go on, we shall have the greatest pleasure in taking the House into confidence, and so I make it clear to both sides that there should be no misconception and Government will have pleasure in supplying the information which is available to them. Of course, their difficulty is that the information is not ready. That is the position and I do not like to prolong the debate further and I hope the Assembly will accept it.

The Hon'ble the SPEAKER: If the gist of information given on the floor of the House had been incorporated in the remarks column, it would have saved so much time and helped the members. Schemes for which Government come up to the House for grants have to be explained sufficiently and fully to enable hon'ble members to make up their minds whether they should or should not sanction the grant.

The question is :

That a supplementary sum not exceeding Rs. 32,900 be granted to the Provincial Government to defray the charges which will come in course of payment during the year ending the 31st day of March, 1939, in respect of "Public Works—Common Establishment and Tools and Plant".

The motion was adopted.

FOREST.

Deputation of two stipendiary students for training at the Dehra Dun Forest Institute.*

The Hon'ble Mr. SHRI KRISHNA SINHA: Sir, I beg to move:

That a supplementary sum not exceeding Rs. 10,424 be granted to the Provincial Government to defray the charges which will come in course of payment during the year ending the 31st day of March, 1939, in respect of "Forest".

This motion is made on the recommendation of His Excellency the Governor.

* For details, vide appendix.

Sir, the details of the scheme are laid down in the statement which has been circulated to the hon'ble members. The necessity for a supplementary demand so soon after the general budget arose because of some special circumstances in this case. Previously, Sir, there were two sorts of services in the Forest Department, the Imperial Forest Service and the Provincial Forest Service. There was a very great demand for the Indianisation of the services and there could not be perfect Indianisation of services if Imperial Services were to continue, because officers for the Imperial Services are recruited by the Secretary of State for India. So, it was decided to stop recruitment to the Imperial Forest Service. Then remained the Provincial Forest Service and it has been decided to provincialise the Forest Service, that is, it has been decided to discontinue recruitment to the Imperial Forest Service and to have only the Provincial Service. In view of that fact, Sir, it is very necessary to have men trained in forestry somewhere in India. So long as recruitment to the Imperial Forest Service continued, men were recruited who had got training in England and other countries, but when recruitment to the Imperial Service was discontinued, it was necessary to have trained men in service. Now, for sometime past there was a college for giving training at Dehra Dun but the Government of India, for reasons which I cannot enumerate here, abolished that college, and one of the reasons was, which I have learnt from the file, that the Government of India were not getting sufficient number of students. But the Government of India for some time past have been thinking of reviving that college if sufficient number of students were available and with that end in view, a Forest Conference was held in Delhi in the month of December last at which representatives of all provincial Governments met and it was decided that all provincial Governments should send their students for training at Dehra Dun. After that decision was made by the Forest Conference, the Government of India took some time to decide the question of starting a college at Dehra Dun and it was only in February last that we got rules and other things regarding admission of students in the Dehra Dun College. Unless and until we had that information, we could not frame the budget because the Government of India had to frame rules regarding the amount which every student will have to pay for tuition and other purposes. In the month of February when we got this information, it was necessary to frame the budget for this purpose. We have decided, therefore, to frame a supplementary demand and the demand is now before the Assembly for sanction and every item of it is mentioned there. Sir, I tremble, I cannot use any word. If I use the word "misconception", I would be asked, where is the question of misconception? I will simply say that these information are here, giving every detail of which this scheme consists, and if any hon'ble gentleman wants further information, Government will not be annoyed but will rather be pleased to furnish the information.

Dr. Sir GANESH DUTTA SINGH : Sir, I beg to move :

That the supplementary demand of Rs. 10,424 in respect of "Forest" be reduced by Re. 1.

Sir, by this cut motion I want to discuss the object of the scheme, the qualifications of the candidates, and selection of the candidates.

I am glad that the Prime Minister in his speech has explained some of the most important features of the scheme, say for instance, that we are going to stop recruitment to the Imperial Forest Service and we have now only provincial Forest Service and that the training of officers is very essential. Unless they are trained we cannot get provincial service men. The qualification of the candidates, I understand, will be B.Sc.

The Hon'ble Mr. SHRI KRISHNA SINHA : The Government of India have framed certain rules for admission to the college at Dehra Dun and the minimum qualification laid down therein is B. Sc. with Honours in Chemistry and Botany or M.Sc. with Honours in B.Sc. in one of the subjects.

Dr. Sir GANESH DUTTA SINGH : I know in selecting candidates for Forest Service many other things are necessary and the most important is the health of the candidate. I do not know whether there is any rule made by the Government of India regarding this.

The Hon'ble Mr. SHRI KRISHNA SINHA : They are asked to run 10 miles.

Dr. Sir GANESH DUTTA SINGH : When I was in the Retrenchment Committee I discussed these qualifications with Forest Officers and we came to the conclusion that besides running 10 miles they should not be short-sighted.

The Hon'ble Mr. SHRI KRISHNA SINHA : All these directions are there.

Dr. Sir GANESH DUTTA SINGH : Therefore, in selecting candidates you will have considerable difficulties. I do not mean that there will not be good candidates. No doubt, when education has gone up so far, there will be no dearth of candidates. First he must be qualified in Chemistry with Honours then he must run ten miles. I know once 5 or 6 candidates started running and only two reached the destination and others dropped in the way. Then their eyes and ears should be free from defects. Then I want another information whether these candidates who are selected for training, after receiving education, will be as good as Imperial Service men or whether a study in foreign country is essential for this service. If not, whether the training at Dehra Dun will be equal to foreign training which is received by the Imperial Service men. Then another question is whether you have got vacancies for these candidates; you have already got Imperial Service men and after receiving training whether these men will be employed or will have to wait.

There is another important question. I know, like all other departments, medical and others, forestry has got several departments. The General administration of forestry is one thing and special training in forestry is another thing. Some experts may have special training in

forestry. Whether Dehra Dun gives general training of administration of the Forest Department or whether there is any arrangement for giving special training in some of the branches of forest are the things which I wanted to know and I shall be glad to have them and the House too will be thankful for these information. We know, Sir, our Forest Service is not well-recruited and well-provided. It requires a large number of good men in the Forest Service.

The Hon'ble the SPEAKER : There are some other motions under this Demand and those motions are practically covered by the motion of Dr. Sir Ganesh Dutta Singh. The hon'ble members who have given notice of those motions may well speak under this motion so that the whole thing may be discussed together.

Mr. BARA LAL KANDARP NATH SHAH DEO :

सभापति महोदय, देहरादून में forest training के लिए गवर्नमेण्ट ने दो लड़कों को स्टैण्डपेंड (stipend) देने के लिए जो सप्लीमेन्ट्री बजट (supplementary budget) रखा है उसको देख कर मुझ को बहुत खुशी हुई और मैं गवर्नमेण्ट की धन्यवाद देता हूँ, और गवर्नमेण्ट से यह प्रार्थना करना चाहता हूँ कि बिहार के जंगल का सब से ज्यादा हिस्सा छोटीनागपुर में है। छोटीनागपुर के रैयत और जमीन्दार दोनों की जीविका के लिए जंगल एक प्रधान चीज़ है। रैयत वर्ष के आधे से अधिक समय जंगल के फल फूल खा कर अपने जीवन व्यतीत किया करते हैं। छोटे छोटे जमीन्दार की जीविका भी उसी से चलती है और नित्य कुछ न कुछ पैसा उन लोगों को जंगलों से मिलता ही रहता है। कुछ जमीन्दार जंगलों की देख भाल में अपना समय बिताते हैं। लेकिन इस विषय में अशिक्षित होने के कारण ज्यादा लाभ नहीं उठा सकते हैं।

इन कारणों से गवर्नमेण्ट को ज्ञात होगा कि छोटीनागपुर के रैयत और जमीन्दार दोनों ही जंगल की रक्षा के लिए कितना उत्सुक हैं। इसलिए मेरी यह प्रार्थना है कि छोटीनागपुर का केस कन्सिडर (consider) किया जाय और छोटीनागपुर के छात्र (candidates) छोटीनागपुर में भेजे जाएं। सूबा बिहार या बाहर के लोग जो शिक्षा पाएंगे वे नौकरी के खयाल से काम करेंगे। छोटीनागपुर के लोग जो शिक्षा पाएंगे वे अपनी जीविका सम्भाल कर छोटीनागपुर से जंगल की रक्षा करेंगे और जहां तक हो सकेगा जंगल को हालतों को सुधारने की कोशिश करेंगे।

इस समय छोटानागपुर के जंगल बहुत बरबाद हो रहे हैं। इसका कारण यह है कि वहाँ के लोगों में शिक्षा की बहुत कमी है और वे नहीं जानते हैं कि इससे उत्पन्न चीजों का उचित व्यवहार कैसे किया जाता है। इसलिए अच्छा यह होगा कि छोटानागपुर के रैयत और ज़मीन्दार दोनों ही वर्ग के लोगों में से छात्र (candidates) लेकर (training) ट्रेनिंग के लिए भेजे जायें। कम से कम जो छात्र (candidate) लिए जाने वाले हैं वे अगर छोटानागपुर से लिए जाएं तो बहुत लाभकर होगा। छोटानागपुर के रैयत और ज़मीन्दार अपने देश के लोगों को काम करके लाभ उठाते देखेंगे तो उन्हें भी पढ़ने की इच्छा होगी। वे अपने लड़के और भाइयों को पढ़ने के लिए भेजेंगे और अपने जंगलों को बढ़ाने और उनमें उन्नति करने का रास्ता निकालेंगे। इसलिए हमारा यह कहना है कि गवर्नमेण्ट ने जो छात्रवृत्ति (stipend) मंजूर की है वह चार विद्यार्थियों में छोटानागपुर के कम से कम तीन विद्यार्थियों को ज़रूर दी जाय। जो छात्र (candidate) पहले भेजे जा चुके हैं उनमें छोटानागपुर के छात्र (candidate) हैं या नहीं यह मुझे मालूम नहीं है। मुझे ऐसा सुनने में आया है कि छोटानागपुर के छात्र (candidate) के अर्जी (application) भेजने पर भी वे योग्य नहीं समझे गए हैं। जिस योग्यता (qualification) की ज़रूरत है उस योग्यता के होने पर भी वे योग्य नहीं समझे गये हैं।

The Hon'ble Mr. SHRI KRISHNA SINHA:

मुझे पता नहीं चला कि किसके बारे में आप कह रहे हैं कि योग्यता कम नहीं थी।

Mr. CHANDRESHVAR PRASAD NARAYAN SINHA:

उन्होंने यह कहा है कि छोटानागपुर के छात्र (candidate) जो छांट दिए गए हैं उनकी योग्यता (qualification) कम नहीं थी।

Mr. BARA LAL KANDARP NATH SHAH DEO:

मैं इन्हीं शब्दों के साथ गवर्नमेण्ट से यह प्रार्थना करूँगा कि वह इस विषय को (consider) कनसिडर करे जिससे छोटानागपुर के छात्र (candidate) फायदा उठा सकें।

Mr. DEVENDRA NATH SAMANTA : Sir, I rise to make a few observations in connection with the motion under discussion. I myself have tabled a cut motion to the effect that injustice has been done to Chota Nagpur for not having recruited any candidates from Chota Nagpur for getting training in the Dehra Dun Forest College for the Bihar Forest Service.

Dr. Sir GANESH DUTTA SINGH : May I know if there was any suitable candidate from Chota Nagpur who has not been selected ?

Mr. DEVENDRA NATH SAMANTA : Let me speak and my hon'ble friend will know whether there was any candidate or not.

Now, Sir, the members of Chota Nagpur have several times ventilated the grievances of Chota Nagpur and on this cut motion, I take my stand to ventilate the grievances of Chota Nagpur people under which they have been labouring. I submit Sir, that in various departments the people of Chota Nagpur have not got adequate representation. In the Forest Department, Sir, it might also be said that they have not got representation at all. You will find that in the Imperial Service as well as in the Provincial Service, there are 24 Forest Officials in this province and there is only one officer in the Provincial Service from Chota Nagpur. So, in this view of the thing also, it was necessary that more persons should be recruited for appointment in this Department from Chota Nagpur. Then, Sir, the other point is that in Chota Nagpur the forest area forms more than 80 per cent of the total area of forests in the province. Now, Sir, those people who live in the forest area, who have much knowledge and experience of forests, should be given opportunities of serving in the Forest Department. It has several times been alleged that some times the people of Chota Nagpur have been found inferior to the people of Bihar. In this Department, Sir, if the people of Chota Nagpur could be given the training, they will never be found inferior to the people of the other parts of the province. In this view of the fact, it is necessary that Government should make efforts to recruit candidates from Chota Nagpur. But that has not been done. I would like to submit before the House again that if the qualifications possessed by candidates are the same, it is highly desirable that preference should be given to candidates from Chota Nagpur. We find that that is not being done. In this year, we have been told that two candidates have been recruited for training in the Dehra Dun College and it was necessary for Government to give preference to candidates from Chota Nagpur. But that has not been done. So, I would like to submit that in future whenever Government find an opportunity of recruiting candidates for training in the Forest College, they should consider the cases of candidates from Chota Nagpur and they should consider them favourably and sympathetically and should recruit them so that the people of Chota Nagpur may have representation in this Department. With these few words, Sir, I beg to support the motion.

Mr. MUHAMMAD YUNUS : I rise to accord my support to the points that have been urged in the debate by the members from Chota

Nagpur, and I feel sure that Government will appreciate that not only they have to look to the interests of all classes and communities, but they have also to look into the interests of different parties of the province. One point that has been raised in this debate is that we find that amongst the candidates who have been so far recruited for training in the Dehra Dun College for the Bihar Forest Service, no person from Chota Nagpur has been recruited. We have not yet heard from the hon'ble member from Chota Nagpur as to whether a sufficient number, if any, did come forth for the purpose. But nevertheless, I think an attempt should be made by Government to encourage people from Chota Nagpur to qualify for this line. As has been observed very rightly by Mr. Samanta, they always live in forests and, therefore, they have the natural adaptability for that particular line and if they are encouraged and if they take to this line, they would be perhaps better qualified than those who are not accustomed to that life from the very beginning. So far as the third part of the reasons given by Mr. Samanta and the other hon'ble member from Chota Nagpur is concerned, I am not in a position to say whether there has been a grave injustice, as if there has not been any candidate, then we cannot say that there has been an injustice done by Government; but nevertheless when this matter has been brought to the notice of Government whether any injustice was done or not, Government may be pleased to make every effort to encourage the people from Chota Nagpur to take to this line.

Mr. W. H. MEYRICK : Sir, I am a little mystified as to what the qualifications are for candidates. I understand that to see as far as the Minister who makes the appointment is one, and to run 10 miles is another, (*Laughter*) and probably on these accounts there have been some shortage of candidates from Chota Nagpur. One thing I do not understand, and that is whether the candidates must be children of the soil, and if they must be children of the soil, if a European who has lived all his life in Bihar is considered to be a child of the soil, and if a domiciled Bengali is also considered to be a child of the soil.

Mr. IGNES BECK : I fully support what the hon'ble members have said and I have to submit that aborigines and children of the soil coming from Chota Nagpur should have preference in this matter of recruitment. Sir, I have repeatedly said that Chota Nagpur has always been neglected and I have some reasons for making such a statement. Whenever there is a question of appointment, and the aborigines claim their share, it is always said by Government that their case will be considered provided efficiency does not suffer. That is a very safe loop-hole to get out of the difficulty. It is true that efficiency must not suffer; but I am not prepared to admit that a person sufficiently educated and having the required qualifications should be considered unfit. No person is born fit or unfit. It is a fact that a man becomes efficient by practice. A carpenter becomes a carpenter because he practises carpentry; he is not a born carpenter. If an aborigine has received the necessary education he is surely to be considered able to accomplish his duties equally well.

So, I emphasise this point that I am not prepared to admit the statement that efficiency should not suffer. If a person of another community has got sufficient qualification and is considered fit, then an aborigine having the same qualification is also fit to enter the service and do full justice to it.

Mr. BONIFACE LAKRA : Sir, I want to add a few words to what has been said by my hon'ble friends just now regarding the aboriginals and their appointments. The present policy of Government in connection with the selection of two candidates to be trained at the Dehra Dun College as well as the policy adopted by them in connection with Chota Nagpur and the aboriginals make me think that the Congress Government, which claim to stand specially for the poor, backward and neglected people and children of the soil (*Mr. Muhammad Yunus : Hear, hear*), have altogether forgotten that bright ideal, and seem now to follow the policy of the callous majorities ; because Bihar possesses a greater number of Congress members in this House, whereas we can be counted on the tips of the fingers of one hand. What I mean to say is that this House contains the representatives of the major communities ; but we aboriginals who should have got 19 seats on the representative basis in this House have been given only 7. Therefore it cannot be said, much less maintained, that aboriginals are fully represented. Whenever we make any claims we receive formal verbal assurances by the Congress Government that they stand for, and support, the poor and the backward children of the soil. But they would not accede to our legitimate demands as we are in a minority and not properly represented. It may be true that we are not equal with the other classes in education, in intellect and other material resources but precisely we should be helped. We have at least the goodwill and energy with us and we want to show courage to progress if only Government back us by all possible means at their command. The policy of the Congress Government with regard to Chota Nagpur and the aboriginals gives me room to think that Government policy stands for exploitation of *Chotanagpuris* and the aboriginals and that even the rule of the Congress stands for the advantage of other communities. It is a matter of deep regret that the majority community, the Biharis of proper Bihar, do not want the *Chotanagpuris* and the aborigines to be provided with any jobs. Whether we are right or wrong in entertaining doubts it is for Government to clear up these doubts not only by words but by action. With these few words, I beg to resume my seat.

The Hon'ble Mr. SHRI KRISHNA SINHA : I hope I will not be charged with impertinence if I say that what Sir Ganesh Dutta Singh has said does not require any reply. He wants to know if the training imparted at Dehra Dun will be as efficient as at other places. As far as the information of this Government goes—and I cannot commit myself on this question—the training imparted at Dehra Dun will be fully sufficient for the purposes for which these services have been created. Certainly, Sir, they will be given training of a general nature. They will be given preliminary training for three weeks in the forests of Chota Nagpur, and during these three weeks they will make themselves acquainted with the

special problems of the jungles of Chota Nagpur, and in the light of these experiences which they gain in these jungles, they will have two years' training at Debra Dun. After they come back from there, they will be appointed. Now, Sir, I feel I will be treading on very dangerous ground in replying to the amendments moved by my other friends.

The Hon'ble the SPEAKER: They have not moved any amendments. They have urged the points in their speeches on one motion.

The Hon'ble Mr. SHRI KRISHNA SINHA: Very well, Sir. They have urged the claims of *Chotanagpuris*. Sir, for the last several months during which we have been in touch with the public opinion of the province as Government, we have found that there is a very great fissiparous tendency in this direction. There have been demands for representations in the services not only on behalf of the different communities but there have been other queer demands. One gentleman rises up and asks: "Is it not a fact that such-and-such a district is not represented in the Executive Service of the province?" Now, Sir, there is a line which must be drawn so far as these demands are concerned. Mr. Yunus has said that in making appointments not only the claims of the different communities have to be considered but the claims of the different parts of the province have also to be considered. Now, Sir, this may lead to a very uncomfortable position. It must be admitted—as my hon'ble friend Mr. Lakra has said—that in making appointment to the services efficiency should not be sacrificed. Because a certain man belongs to Chota Nagpur, it is not necessary that the administration of the jungles of Chota Nagpur should be in the hands of that man. Because a certain gentleman belongs to a certain part of the province and because that part of the province is not fully represented in the services

Mr. MUHAMMAD YUNUS: On a point of personal explanation, Sir, I never said that efficiency is to be sacrificed; I said that the interest of the different parts of the province must also be considered.

The Hon'ble Mr. SHRI KRISHNA SINHA: Now, Sir, it will be very dangerous to accept the principle that the claims of the different parts of the province are to be taken into consideration in making appointments to the provincial services. In making appointment to the services which are meant for the districts, certainly the men of the districts should be given preference; but in making appointment to the provincial services it is not possible to accede to this demand.

As I was saying, Sir, there has been claim not only on behalf of the different parts of the province, but the claims of the different communities have also been given queer meaning. People have come to me and told me that men of a particular community represented in the services belong to a particular part of the province, that the men represented in a particular service belong to the rich section of the community and so men from the poorer section should be taken. So far as efficiency is not sacrificed and so long as fair competition is not introduced, it may be possible for Government to consider these claims in making appointments; but, Sir, on behalf of Government, I must make one thing very clear, and that is: in making appointments, efficiency will be the sole test, and that it is not

possible for Government while making recruitment to services, to consider the case of the different districts so far as the provincial services are concerned.

Now, Sir, comes the case of Chota Nagpur. Before I deal with the case of Chota Nagpur, I would like to reply straightway to the point raised by Mr. Meyrick. Mr. Meyrick is a very good gentleman. This morning he raised the question of Europeans. I assure my friend that in the eyes of those who form this Government, there is no distinction between a European, a Bengali or any non-Bihari living in this province. But Government insist only on one condition—I know for some time past section 299 of the Government of India Act is being distorted to prove something which cannot be proved namely—no man can be debarred from service on account of this section. It is true that this section is being commented upon as meaning that the gates of this province are open and any man from anywhere in the world can come in and have an appointment here. I say, Sir, that this is not accepted by any Provincial Government in India, and this Government draws a line so far as the appointments are concerned.

Mr. W. H. MEYRICK : On a point of personal explanation, Sir, I only wanted to know whether Government would treat a European who has lived all his life in Bihar, or a domiciled Bengali who has done likewise, as one of the children of the soil.

The Hon'ble Mr. SHRI KRISHNA SINHA : If my hon'ble friend had not been impatient, I would have replied to that part of his question. If a European gentleman has settled here, has lived his whole life here and has not his eyes turned towards London but turned towards his little hamlet where he lived all his life in Bihar, he is a Bihari for all practical purposes. Government must insist on the principle of permanent domicile before a man expects to have an appointment under Government; he must satisfy Government that he has made this province his home. If the different provinces in India are ready to open their services to anybody who lived in any part of India or in any part of the world, certainly this Government will be ready to revise its position. But the present position is that in making any appointment Government must insist on the principle of permanent domicile. Here we have the authority of no less a body than the Government of Bengal. While making advertisements for granting stipends to students going to read at Dehra Dun—the sort of students whom we want to send to Dehra Dun—the Government of Bengal has laid down the following condition :

The candidate must be a natural born British subject, permanently domiciled in Bengal.

This Government does not want anything more than this. This Government makes no distinction between a Bihari—in the narrow sense of the term—and a European, a Bengali, a Sindhi or a Punjabi; but one condition must be satisfied, and that is that before any non-Bihari claims an appointment, he must satisfy Government that he has permanently settled in Bihar; that he has made Bihar his home.

Mr. MUHAMMAD TAHIR : On a point of information, Sir, what are the difficulties in considering the case of districts in making appointments to the provincial services ?

The Hon'ble Mr. SHRI KRISHNA SINHA : The difficulty is this : there is no knowing where it will end.

Dr. Sir GANESH DUTTA SINGH : The general question of Provincial Service is under discussion.

The Hon'ble Mr. SHRI KRISHNA SINHA : Once we thought of communal representation and there were the Hindus and the Muhammadans. Now we have got Hindus, Muhammadans, aborigines, depressed classes and then come the backward classes amongst the Hindus, and then only the other day, I was reading in the newspapers that in the *Haihai* conference which was held at Darbhanga, they complained that the claim of their community was not being considered by Government. It is not possible for Government to keep efficiency consistently with the consideration of the claims of so many communities and it is because of this that I do not want Government to commit themselves to anything.

Mr. MUHAMMAD YUNUS : On a point of personal explanation. When I suggested about considering the Muslim interests, it was because what you yourself observed that it was a separatist tendency and if you include a particular representation that separatist tendency will increase.

Mr. MUHAMMAD SHAFI : On a point of information, Sir. Is it not a fact that the territorial consideration is the accepted principle of Government ? If Government say that persons living in Bihar should have preferential treatment in services over persons coming from Bengal or other provinces who may be more efficient, then why the people coming from districts far away from Patna or Gaya should not have the same chance on territorial grounds ?

The Hon'ble Mr. SHRI KRISHNA SINHA : Yes, Mr. Yunus, that is what we are going to tell you. We are living in a very unfortunate land. Our difficulties are multiplying. We have landed ourselves in difficulty. I cannot now exclude the claims of communities. So far as these distinctions are concerned, they have become stereotyped. If I once concede that appointments are to be made on territorial basis, tomorrow the question of Purnea and Kishanganj, the day after the question of representation of certain *thana* in the subdivision of Kishanganj will come up.

Mr. MUHAMMAD SHAFI : Please do not forget Darbhanga.

The Hon'ble Mr. SHRI KRISHNA SINHA : Yes, yes, I had a mind to mention Darbhanga also. Only the other day some Muslim friends came to me and said that all the Deputy Magistrates, so far as recruitment to the Provincial Executive Service was concerned, belonged to the districts of Patna, Shahabad and Gaya. Now Sir, I know these things are there. But in making appointments to the Provincial Services we must brush aside these considerations.

Now comes the question of Chota Nagpur. So far as the claims of *Chotanagpuris* are concerned I make no distinction between Babu Krishna Ballabh Sahay and Mr. Bara Lal who is sitting there. Certainly, the question of aborigines stands on a different footing in the matter of making appointments. Certainly, Government has a right to consider the claims of aborigines. Now my friend, Mr. Lakra, if I understood him aright, has accused this Government of standing by the principle of exploitation by the majority community. Will he allow me to meet this charge and tell him that in making appointments to the Provincial Executive Service, had I followed strictly the recommendations of the Provincial Public Service Commission, I could not have appointed a Christian aborigine? It is because that I do not stand by the principle of exploitation, it is because this Government stands committed to the principle of looking to the interests of the minorities, the trampling of which we are so freely accused of, it is because of that that I particularly made it a point to see that if any aborigine was available, he must be appointed. It is because of this that that Christian aborigine of Chota Nagpur was appointed. I know the representation of the aborigines in the services and I think my friend Mr. Lakra, will agree with me that in making appointments, the test of minimum qualification must be strictly observed.

Now, Sir, the question of selection of candidates has been given to a body which cannot be accused of gross predilection or any other predilection. They make certain recommendations under the Government of India Act. We have to make appointments out of the names recommended by them. If I want to appoint any person belonging to any particular community, I have to ask them to tell me, if there is any gentleman belonging to that community who satisfies the test of minimum qualification, and it is only after that body has testified that a particular candidate belonging to a particular community satisfies that minimum test, that Government can appoint a man of that particular community. My friends have been saying that in making appointments to the Forest Service no man from Chota Nagpur or no aborigine has been selected. Not one of my friends has taken the trouble of telling Government if there was any aborigine who had applied for the post and who had satisfied the test of minimum qualification laid down by the Government of India. My aboriginal friends will agree with me that the Forest Service is a responsible service. It is the wealth of the province and if it can be properly developed, it may be a source of immense wealth to the province.

Mr. DEVENDRANATH SAMANTA : We have never suggested that aborigines should be recruited irrespective of their qualifications.

The Hon'ble Mr. SHRI KRISHNA SINHA : I have selected four persons on the recommendation of the Public Service Commission. Certainly if the names of a *Chotanagpuri* or of an aborigine was not sent, it means that the Commission did not find any *Chotanagpuri* or any aborigine satisfying the minimum test.

Mr. MUHAMMAD YUNUS : Did the Ministry require from the Public Service Commission that they may also send the name of the best

man amongst the *Chotanagpuris* who may possess the requisite minimum qualification ?

The Hon'ble Mr. SHRI KRISHNA SINHA : Sir, Mr. Yunus takes pleasure in putting uncomfortable questions. Of course, it is not possible to lay down what passed between the Ministry and the Commission, but I may tell the House that I asked the Public Service Commission to give me the names of a particular minority community which struck me as suitable.

Mr. MUHAMMAD YUNUS : I did not [mean a particular man but I meant a particular community.

The Hon'ble Mr. SHRI KRISHNA SINHA : I hope, Sir, I have clearly laid down the principle which guides Government in making appointments. I am ready to consider the claims of those communities whose claims have not so far been considered, and certainly, Chota Nagpur is never out of the mind of this Government. I have been in the past looking to their claims, and in future, I will continue to do so. That is the only assurance that I can give to my aboriginal friends.

Dr. Sir GANESH DUTTA SINGH : I have no intention to press my motion, and I beg leave of the House to withdraw it.

Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA : I have only one information to seek from the Hon'ble Prime Minister. When these persons return from Dehra Dun, will all the four be employed ?

The Hon'ble Mr. SHRI KRISHNA SINHA : Out of four only two will be selected. After they have undergone training at Dehra Dun only two will be appointed.

Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA : What will be the scale of pay ?

The Hon'ble Mr. SHRI KRISHNA SINHA : This is a provincial service post and the pay will begin from Rs. 170.

The motion was, by leave of the Assembly, withdrawn.

The Hon'ble the SPEAKER : The question is :

That a supplementary sum not exceeding Rs. 10,424 be granted to the Provincial Government to defray the charges which will come in course of payment during the year ending the 31st day of March, 1939, in respect of "Forest".

The motion was adopted.

LEGISLATIVE BUSINESS.

THE BIHAR MONEY-LENDERS BILL, 1937 (BILL NO. 10 of 1937). (contd.)

Mr. MUHAMMAD TAHIR : Sir, I beg to move :

That in clause 15 of the Bill, the following be added as a proviso, namely :
Provided that the instalment shall be annual and shall not be less than five.

Sir, I have moved this amendment simply on the ground that I do not see that the real relief has been given to the debtors for whom the Bill was intended.